HISTORY OF THE JEWS IN RUSSIA AND POLAND

FROM THE EARLIEST TIMES UNTIL THE PRESENT DAY

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FROM THE EARLIEST TIMES UNTIL THE PRESENT DAY

BY

S. M. DUBNOW

TRANSLATED FROM THE RUSSIAN

BY

I. FRIEDLAENDER

VOLUME I

FROM THE BEGINNING UNTIL THE DEATH OF ALEXANDER I
(1825)

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TRANSLATOR'S PREFACE

It is not my intention to expatiate in these prefatory remarks on the present work and its author. A history of the Jews in Russia and Poland from the pen of S. M. Dubnow needs neither justification nor recommendation. The want of a work of this kind has long been keenly felt by those interested in Jewish life or Jewish letters, never more keenly than to-day when the flare of the world conflagration has thrown into ghastly relief the tragic plight of the largest Jewry of the Diaspora. As for the author, his power of grasping and presenting the broad aspects of general Jewish history and his lifelong, painstaking labors in the particular field of Russian-Jewish history fit him in singular measure to cope with the task to which this work is dedicated.

In what follows I merely wish to render account of the English translation and of the form of the original which it has endeavored to reproduce.

The translation is based upon a work in Russian which was especially prepared by Mr. Dubnow for THE JEWISH PUBLICATION SOCIETY OF AMERICA. Those acquainted with modern Jewish literature in the Russian language know that the author of our book has treated the same subject in his general history of the Jewish people, in three volumes, and in a number of special studies published by him in the periodical *Yevreyskaya Starina* ("Jewish Antiquity"). Upon this

material Mr. Dubnow has freely drawn for the present work, after subjecting it to a careful revision, and so supplementing and co-ordinating it that to all intents and purposes the book issued herewith is a new and independent publication. Moreover, the history of Russian Jewry after 1881, comprising the gruesome era of pogroms and expulsions, has been written by Mr. Dubnow entirely anew, and will appear for the first time as part of this work. The present publication may thus properly claim to give the first comprehensive and systematic account of the history of Russo-Polish Jewry.

The work is divided into two volumes. The first volume, now offered to the public, contains the history of the Jews of Russia and Poland from its beginnings until the death of Alexander I., in 1825. The second volume will continue the historic narrative up to the very threshold of the present. The book was originally scheduled to appear at a later date. The great events of our time, which have made the question of Russian Jewry a part of the world problem, suggested the importance of earlier publication. In order that there might be as little delay as possible in giving the book to the public, the maps and the bibliographical apparatus were reserved for the second volume. The same volume, which, it is hoped, will appear in the course of this year, will contain also the index to the whole work.

My task as translator has been considerably facilitated by the self-abnegation of the author, who gave me permission to act as editor and to adapt the original to the requirements of an English version. I have made frequent use of the privilege accorded to me, and have endeavored throughout to bridge the wide gap which stretches between the Russian and American reading public in matters of literary taste. This editorial activity includes a number of changes in the framework of the

book, which was originally divided into sections of disproportionate length, and has now been arranged in a more uniform manner. In the course of this rearrangement, it became necessary to change the wording of some of the headings so as to bring them into greater conformity with English literary usage. It should be pointed out, however, that the changes made are of a stylistic nature, or relate only to the skeleton of the book. With the exception of a few passages, they leave the contents untouched, and the responsibility for the latter rests entirely with the author.

As translator I had resolved to keep myself in the background and act solely as the interpreter of the author. Much to my regret I found myself unable to maintain this attitude uniformly. The text was already in type when it was borne in upon me that the subject of the book, dealing as it does with the lands of Eastern Europe, was a *terra incognita* to the average American reader, and that many things in it must perforce be wholly or partly unintelligible to him if left without an explanation. There was nothing for me to do but to step into the breach and supply the deficiency. I did so by adding a number of footnotes, which, in distinction from those of the author, are placed in brackets. With very few exceptions these notes are not of a supplementary, but of an explanatory, nature. They are confined to such information as the reader may need to grasp the full bearing of the text. I trust that in some small measure these detached notes may serve instead of a systematic account of the general development of Eastern Europe, which, it was originally hoped, might be supplied by the authoritative pen of Mr. Dubnow himself, as a background for the history of Russo-Polish Jewry. An attempt in this direction, within a narrow compass and with no pretense

to completeness, has been undertaken by the present writer in a recent publication of his own.[1]

A word must be said concerning the spelling of foreign names and terms, which are naturally numerous in a work like the present. After considerable deliberation I decided on the phonetic method, as being the most convenient from the point of view of the reader. I have consequently endeavored to reproduce, as far as possible, the original sounds of all foreign words in English characters. In conformity with this principle, I have adopted the spelling *Tzar,* instead of *Czar.* As far as I am aware, the only exception is the Russian word *ukase,* which reflects in its spelling the effect of French transmission, and is to be pronounced *ookaz,* with the accent on the last syllable. Needless to say I have had to resort to artificial contrivances to indicate those sounds which are unknown in English, but I have reduced these contrivances to a minimum. They are as follows: *zh* represents the Slavic sound which corresponds to French *j; kh* stands for the sound which is to be pronounced like hard German *ch* (as in *lachen,* not as in *brechen*); *tz* is the equivalent of a Slavic letter which is to

[1] "The Jews of Russia and Poland. A Bird's-Eye View of Their History and Culture" (G. P. Putnam's Sons, 1915). To avoid any misconception on the part of the reader, I desire to point out that the aim and scope of my little volume are totally different from those of Mr. Dubnow's work. As indicated in the title of my sketch, and as stated in the preface to it, my purpose was none other than to present a "bird's-eye view" of the subject, to point out the large bearings of the problem, with no intention on my part "to offer new and independent results of investigation." The publication is based on a course of lectures delivered by me before the Dropsie College for Hebrew and Cognate Learning in Philadelphia in March, 1915. My natural reluctance to anticipate Mr. Dubnow's large work was overcome by the encouragement of several friends, among them Mr. Dubnow himself, who, from their knowledge of public affairs, thought that a succinct, popular presentation of the destinies of the Jews in the Eastern war area was a word in due season.

be pronounced like German *z*. To avoid mispronunciation, *g* in all foreign words has been spelled *gh* before *e* and *i*. *U* in these words is to be pronounced like *oo*, and *a* like French and short German *a*. With every desire for uniformity, I have yet little doubt that inconsistencies will be found, particularly in the transliteration of Hebrew, which, as a Semitic idiom, is more difficult of phonetic reproduction than are even the Slavic languages. I hope that these inconsistencies are not numerous enough to be offensive.

The method of transliteration referred to in the foregoing presents a special difficulty in the case of Polish names, in view of the fact that the Polish language uses the general European alphabet, and that the Polish spelling of such names has found access to other languages. In some instances even the question of identity may arise. Thus, to quote but one example out of many, the name *Chmielnicki*, written in this form in Polish, differs considerably from the phonetic spelling *Khmelnitzki*, adopted in this volume. To meet this difficulty, the index to this work will give all Polish names and expressions both in their transliterated English forms and in their original Polish spelling.

In conclusion, it is my pleasant duty to record my appreciation of the help rendered me in my task. I am indebted to the Honorable Mayer Sulzberger for his great kindness in reading the proofs of this volume and in giving me the benefit of his subtle literary judgment. Professor Alexander Marx has assisted me by reading the proofs and making a number of suggestions. My thanks are finally due to Miss Henrietta Szold for her indefatigable and most valuable co-operation.

I. F.

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CHAPTER I

THE JEWISH DIASPORA IN EASTERN EUROPE

1. The Jewish Settlements on the Shores of the Black Sea

From the point of view of antiquity the Jewish Diaspora in the east of Europe is the equal of that in the west, though vastly its inferior in geographic expansion and spiritual development. It is even possible that the settlement of Jews in the east of Europe antedates their settlement in the west. For Eastern Europe, beginning with Alexander the Great, received its immigrants from the ancient lands of Hellenized Asia, while the immigration into Western Europe proceeded in the main from the Roman Empire, the heir to the Hellenic dominion of the East.

Among the ancient Jewish settlements in Eastern Europe the colonies situated on the northern shores of the Black Sea, now forming a part of the Russian Empire, occupy a prominent place.

Far back in antiquity the Greeks of Asia Minor and the Ionian Islands gravitated towards the northern shores of the Pontus Euxinus, the fertile lands of Tauris—the present Crimea.[1] Beginning with the sixth century B. C. E., they estab-

[1 Later on the author differentiates between Tauris and the Crimea, using the former term to designate the northern coast of the Black Sea in general, with the Crimea as a part of it. The modern Russian Government of Tavrida is similarly made up of two sections: the larger northern part consists of the mainland, the smaller southern part is identical with the Crimean Peninsula, connected with the mainland by the Isthmus of Perekop. In antiquity the name Tauri, or Taurians, was restricted to the inhabitants of the mountainous south coast of the Crimea.]

lished their colonies in those parts, whence they exported corn to their homeland, Greece. When, after the conquests of Alexander the Great, Judea became a part of the Hellenistic Orient, and sent forth the "great Diaspora" into all the dominions of the Seleucids and Ptolemies, one of the branches of this Diaspora must have reached as far as distant Tauris. Following in the wake of the Greeks, the Jews wandered thither from Asia Minor, that conglomerate of countries and cities—Cilicia, Galatia, Miletus, Ephesus, Sardis, Tarsus—which harbored, at the beginning of the Christian era, important Jewish communities, the earliest nurseries of Christianity. In the first century of the Christian era, which marks the consolidation of the Roman power over the Hellenized East, we meet in the Greek colonies of Tauris with fully organized Jewish communities, which undoubtedly represent offshoots of a much older colonization.

During the same period there flourished in the Crimea and on the adjacent shores of the Black and Azov Seas, called by the Greeks Pontus and Maeotis, in the lands of the Scythians, Sarmatians, and Taurians, a number of diminutive Greek city-republics—Cimmerian Bosporus, or Panticapaeum (at present Kerch), Phanagoria (the Taman Peninsula), Olbia, Gorgippia (now Anapa), and others. The most active of these colonies was Bosporus-Panticapaeum, which was situated at the confluence of the Black and Azov Seas. The kings, or archonts, of Bosporus, of the Greek dynasty of the Rhescuporides, acknowledged the sovereignty of Rome. They styled themselves, in accordance with the customary formula, "friends of the Caesars and the Romans," and frequently added to their title the Roman dynastic appellation "Tiberius-Julius." The Jewish historian Josephus Flavius, in depicting the irresistible

sway of the Roman world-power in his time, refers to this colony in the following terms: "Why need I speak of the Heniochi and Colchians and the nation of the Tauri, and those who inhabit the Bosporus and the nations about Pontus and Maeotis . . . . who are now subject to three thousand armed men, and where forty long ships keep in peace the sea which before was unnavigable, and is very tempestuous?" (Bell. Jud. II. xvi. 4.) These words were written shortly after the downfall of Judea, about the year 80 of the Christian era.

Now from practically the same year (80-81) date the Greek inscriptions which were discovered on the soil of ancient Bosporus in Tauris, testifying to the existence there of a well-organized Jewish community, with a house of prayer. The following is the text of one of these inscriptions, engraved on a marble tablet which is kept in the Hermitage of Petrograd:

In the reign of King Tiberius Julius Rhescuporides, the pious friend of the Caesars and the Romans, in the year 377,[1] on the twelfth day of the month of Peritios, I, Chresta, formerly the wife of Drusus, declare in the house of prayer (*προσευχή*) that my foster-son Heracles is free once [for all], in accordance with my vow, so that he may not be captured or annoyed by my heirs, and may move about wherever he chooses, without let or hindrance, except for [the obligation of visiting] the house of prayer for worship and constant attendance. [Done] with the approval of my heirs Iphicleides and Heliconias, and with the participation of the Synagogue of the Jews in the guardianship (*συνεπιτροπευούσης δὲ καὶ τῆς συναγογῆς τῶν Ἰουδαίων*).

This inscription, paralleled by a similar document of the same period, was evidently meant to certify the act of liberating a slave, which, according to custom, was performed

[1] The date is that of the "Bosporan era," and corresponds to the year 80-81 of the common era.

publicly, in the "house of prayer," with the participation of the representatives of the Jewish community.[1]

The contents of the inscriptions enable us to draw the following conclusions bearing on the history of the Jews during that period:

1. The Jewish community in Taurian Bosporus was made up of Hellenized Jews, who employed the Greek language in their religious and civil documents, and called themselves by Greek names (Chresta, Drusus, Heracles, Artemisia, etc.). 2. While assimilated to the Greeks in point of language, they were firmly united among themselves by the bond of religion, as is shown by the obligation, imposed even on the freedman, the *libertinus*, to visit the house of prayer for worship. 3. The Jewish community enjoyed a certain amount of civil autonomy, as shown in the case cited above, in which the community appears in the rôle of a juridical person, acting as the guardian of the liberated slaves.

It is to be assumed that similar communities of Hellenized Jews were found in the other Greek colonies of Tauris, their population being constantly swelled by the influx of immigrants from Asia Minor, Syria, and Egypt, particularly from Judeo-Hellenistic Alexandria. Since these communities of the first Christian century appear to have been well-organized and to have possessed their own institutions, we are safe in assuming that they were preceded by a more primitive phase of communal Jewish life, in the shape of petty settlements and trading stations, which must have arisen in earlier centuries.

From the first centuries of the Christian era date a number of tombstones bearing representations of the holy candlestick, the Menorah. The religious influence of Judaism in Tauris and in the Azov region is attested by various other indications. The inscriptions contain several references to "those who

[1] In the Greek documents of that period Synagogue signifies, not a house of worship, but a religious community.

fear God the Most High" (*σεβόμενοι θεὸν ὕψιστον*), a phrase applied in the Greco-Roman world to pagans who stand halfway between polytheism on the one hand and Judaism or primitive Christianity on the other.

The Judeo-Hellenistic Diaspora in Tauris, on the northern shores of the Black Sea, was, like its parent stock in Asia Minor, the center of a Christian propaganda. Towards the end of the third century we find in Chersonesus, near Sevastopol, Christian bishops wielding considerable power. The exercise of this power was evidently responsible for the pagan rebellion of which we read in the lives of the Christian martyrs Basil and Capiton. On the sixth of December of the year 300 the pagan inhabitants rose in revolt against these two bishops and their fellow-missionaries, and were joined by the Jews, whom, it would seem, the zealots of the new faith had endeavored equally to drag into the bosom of the Church.

The existence of a Jewish settlement in the Bosporan kingdom was also known to St. Jerome, the famous Church father, who lived at the end of the fourth century in far-off Palestine. On the authority of his Jewish teacher he applied verse 20 in Obadiah, "and the captivity of Jerusalem which is in Sepharad," to the Taurian Bosporus, the remotest corner of the Jewish Diaspora.[1]

With the division of the Roman Empire into two halves the Greco-Judean colonies on the Black Sea were naturally drawn into the sphere of influence of the eastern part, the Empire of Byzantium, the capital of which, Constantinople, was situated on the opposite coast of the Black Sea. Com-

[1 It is possible that the identification was suggested by the similarity in sound between Bosporus and *bi-Sparad*, the Hebrew for "in Sepharad."]

mercial relations brought the Taurian colony into ever closer contact with the metropolis of Byzantium, and the Jews vied with the Greeks in the promotion of trade. The persecutions of the militant Church of Byzantium under the Emperors Theodosius II., Zeno, and Justinian, during the fifth and sixth centuries, drove the Jews from the ancient provinces of the Empire into the Taurian colonies. In the eighth century the Jewish population of these colonies was so numerous that the Byzantine chronicler Theophanes places the Jews in the forefront of the various groups of the population. "In Phanagoria and the neighboring region," says Theophanes, "the Jews who live there are surrounded by many other tribes."

These colonies were frequently visited by Christian missionaries, who endeavored to convert the native population to their faith, and incidentally also to win over the Jews. The Patriarchs of Constantinople were then hopeful of drawing the people of the Old Testament into the fold of the New. The Patriarch Photius, of the ninth century, writes thus to the Bishop of Bosporus (Kerch): "Wert thou also to capture the Judeans there, securing their obedience unto Christ, I should welcome with my whole soul the fruits of such beautiful hopes." The "Judeans," however, not only did not take the bait of the missionaries, but even managed to spoil their propaganda among the pagans. The most illustrious of all Byzantine missionaries, Cyril and Methodius, had frequent occasion to quarrel with "the Judeans, who blaspheme the Christian faith," and the boastful ecclesiastic legend asserts that the holy brothers "by prayer and eloquence defeated the Judeans [in disputes] and put them to shame" (about 860).

The struggle between the Christian missionaries and the Jews during that period had for its object the Khazar nation, part of whom had embraced Judaism.

2. The Kingdom of the Khazars

While Byzantium was pressing on the Euxine colonies from the west, endeavoring to draw them, together with the adjoining lands of the Slavs, into the sphere of Christian civilization, a new power from the east, from the Caucasus and the Caspian region, came rushing along in the same direction. We refer to the Khazars, or Kazars.[1] Forming originally a conglomerate of Finno-Turkish tribes, the warlike Khazars appeared in the Caucasus during the "migration of nations," and began to make inroads into the Persian Empire of the Sassanids, often acting as the tools of Persia's rival, Byzantium. The great Arabic conquests of the seventh century and the rise of the powerful Eastern Caliphate checked the movement of the Khazars towards the East, and turned it westward, to the shores of the Caspian Sea, the mouths of the Volga and the Don, the Byzantine colonies on the Black and Azov Seas, and, in particular, the flourishing region of Tauris. At the mouth of the Volga, where the mighty river joins the Caspian Sea, near the present city of Astrakhan, arose the kingdom of the Khazars with its capital Ityl, the name originally designating the river Volga. From there the bellicose Khazars made constant raids upon the Slavonian tribes far and near, to the very gates of Kiev, forcing them to become their tributaries.

Another Khazar center was established in the Crimea, among Byzantine Greeks and Jews. From the Crimea

[1 The Arabic and other medieval authors write the name with a *kh* (= hard German *ch*), hence the frequent spelling Chazars. In Hebrew sources the word is written with a *k* (כ), except in a recently discovered document (see Schechter, Jew. Quart. Review, new series, iii. 184), where it is spelled with a *k* (ק). Besides *Khazar* and *Kazar*, the name is also found in the form *Kozar*, or *Kuzar*.]

the Khazars pressed forward in the direction of Byzantium and the Balkan Peninsula, constituting a serious menace to the Roman Empire of the East. As a rule, the Byzantine emperors concluded alliances with the kings, or khagans, of the Khazars, checking their unbridled energy by means of concessions and the payment of tribute. In Constantinople the illusion was fostered that the Church, and with it Byzantine diplomacy, were in the end bound to triumph over all the Khazars—by converting them to Christianity. With this purpose in view, missionaries were dispatched from Byzantium, while the local bishops of Tauris were working zealously to the same end. But the task proved extremely difficult, for the Greek Church found itself face to face with a powerful rival in Judaism, which succeeded in establishing its hold on a part of the Khazar nation.

While yet in their pagan state, the Khazars were exposed at one and the same time to the influences of three religions: Mohammedanism, which pursued its triumphant march from the Arabic Caliphate; Christianity, which was spreading in Byzantium, and Judaism, which, headed by the Exilarchs and Gaons of Babylonia, was centered in the Caliphate, while its ramifications spread all over the Empire of Byzantium and its colonies on the Black Sea. The Arabs and the Byzantines succeeded in converting several groups of the Khazar population to Islam and Christianity, but the lion's share fell to Judaism, for it managed to get hold of the royal dynasty and the ruling classes.

The conversion of the Khazars to Judaism, which took place about 740, is described circumstantially in the traditions preserved among the Jews and in the accounts of the medieval Arabic travelers:

The King, or Khagan, of the Khazars, by the name of Bulan, had resolved to abandon paganism, but was undecided as to the religion he should adopt instead. Messengers sent by the Caliph persuaded him to accept Islam, envoys from Byzantium endeavored to win him over to Christianity, and representatives of Judaism championed their own faith. As a result, Bulan arranged a disputation between the advocates of the three religions, to be held in his presence, but he failed to carry away any definite conviction from their arguments and mutual refutations. Thereupon the King invited first the Christian and then the Mohammedan, and questioned them separately. On asking the former which religion he thought was the better of the two, Judaism or Mohammedanism, he received the reply: Judaism, since it is the older of the two, and the basis of all religions.[1] On asking the Mohammedan, which religion he preferred, Judaism or Christianity, he received the same reply in favor of Judaism, with the same motivation. "If that be the case," Bulan argued in consequence, "if both the Mohammedan and the Christian acknowledge the superiority of Judaism to the religion of their antagonist, I too prefer to adopt the Jewish religion." Bulan accordingly embraced Judaism, and many of the Khazar nobles followed his example.

According to the Jewish sources, one of Bulan's descendants, the Khagan Obadiah, was a particularly zealous adherent of Judaism. He invited—possibly from Babylonia—many Jewish sages to his country, to instruct the converted Khazars in Bible and Talmud, and he founded synagogues, and established Divine services.

[1] According to another version of the same story, quoted by the Arabic geographer al-Bekri (d. 1094), the Bishop who was championing the cause of Christianity said in reply to the King's inquiry: "I believe that Jesus Christ, the son of Mary, is the Word, and that he revealed the mysteries of the great and exalted God." A Jew who lived at the royal court and was present at the disputation interrupted him with the remark: "He [the Bishop] believes in things which are unintelligible to me."

In the ninth and tenth centuries, the kingdom of the Khazars, governed by rulers professing the Jewish faith, attained to outward power and inner prosperity. The accounts of the Arabic writers of that period throw an interesting light on the inner life of the Khazars, which was marked by religious tolerance. The king of the Khazars and the governing classes professed the Jewish religion. Among the lower classes the three monotheistic religions were all represented, and in addition a considerable number of pagans still survived. In spite of the fact that royalty and nobility professed Judaism, the principle of religious equality was never violated. The khagan had under him seven (according to another version, nine) judges: two for the followers of the Jewish religion, two each for the Christians and Mohammedans, and one for the pagans —the Slavs, the Russians, and other races. Only occasionally did the Khazar king show signs of intolerance, particularly when rumors concerning Jewish persecutions in other countries came to his ears. Thus, on one occasion, about 921, on being informed that the Mohammedans had destroyed a synagogue somewhere in the land of Babunj, the Khagan gave orders to destroy the tower (minaret) of a certain mosque and to kill the muezzins (the heralds who call to prayer), explaining his attitude in these words: "I should have destroyed the mosque itself, had I not feared that not a single synagogue would be left standing in the lands of the Mohammedans."

In the kingdom of the Khazars, favorably situated as it was between the Caliphate of Bagdad and the Byzantine Empire, the Jews evidently played an important economic rôle. During the ninth and tenth centuries the territory of the Khazars was traversed by one of the great trade routes which connected the three parts of the Old World. According to the testimony of

Ibn Khordadbeh, an Arabic geographer of the ninth century, Jewish merchants, who were able to speak the principal Asiatic and European languages, "traveled from West to East and from East to West, on sea and by land." The land route led from Persia and the Caucasus "through the country of the Slavs, near the capital of the Khazars" (the mouth of the Volga), by crossing the Sea of Jorjan (the Caspian Sea). Another Arabic writer, named Ibn Fakih,[1] who wrote shortly after 900, testifies that on the route of the "Slav merchants," who were trading between the Sea of the Khazars (the Caspian Sea) and that of Rum (the Byzantine or Black Sea), was found the Jewish city of Samkers, on the Taman Peninsula, near the Crimea.[2]

During this period of prosperity the kingdom of the Khazars received a considerable Jewish influx from Byzantium, where the Jews were persecuted by Emperor Basil the Macedonian (867-886), being forcibly converted to Christianity, while hundreds of Jewish communities were devastated. The Jewish emigrants from Byzantium were naturally attracted towards a land in which Judaism was the religion of the Government and the Court, though equal toleration was accorded to all other religions. The well-known Arabic writer Masudi refers to this Jewish immigration in the following passage:

[1 The author, evidently relying on the authority of Harkavy, writes *Ibn Sharzi*. The writer referred to by Harkavy is Ali Ibn Ja'far ash-Shaizari (wrongly called Ibn Sharzi), who made an extract from Ibn Fakih's "Book of Countries" about 1022. This extract has since been published by de Goeje in his *Bibliotheca Geographicorum Arabicorum*, vol. v. Our reference is found there on p. 271. I have put Ibn Fakih's name in the text, as there is no reason to doubt that our passage was found in the original work, which was written more than a hundred years earlier.]

[2 See on the name of this city de Goeje's remarks in his edition of Ibn Fakih, p. 271, note *a*.]

The population of the Khazar capital consists of Moslems, Christians, Jews, and pagans. The king, his court, and all members of the Khazar tribe profess the Jewish religion, which has been the dominant faith of the country since the time of the Caliph Harun ar-Rashid. Many Jews who settled among the Khazars came from all the cities of the Moslems and the lands of Rum (Byzantium), the reason being that the king of Rum persecuted the Jews of his empire in order to force them to adopt Christianity. . . . . In this way a large number of Jews left the land of Rum in order to depart to the Khazars.

This testimony dates from the year 954. Contemporaneous with it is the extremely interesting correspondence between Joseph, the Khagan of the Khazars, and Hasdai Ibn Shaprut, the Jewish statesman of the Cordova Caliphate in Spain. Being a high official at the court of Abderrahman III., Hasdai maintained diplomatic relations with the emperors of Byzantium and other rulers of Asia and Europe, and in this way came to learn of the Khazar kingdom, through the Persian and Byzantine ambassadors. The news of the existence of a land somewhere beyond the seas where a Jew sat on the throne, and Judaism was the religion of the state, filled Hasdai with joy. Firmly convinced that he had found the clue to the lost Jewish kingdom of which popular Jewish tradition had so much to tell, the Jewish statesman at the Moslem court felt the burning need of getting in touch with the rulers of Khazaria, and, in case the rumors should prove correct, of transferring his abode thither and devoting his powers of statesmanship to his fellow-Jews. Prolonged inquiries elicited the information that the land of the Khazars lay fifteen days by sea from Constantinople, that it stood in commercial relations with Byzantium, that the name of its present ruler was Joseph, and that the safest means of communicating with him

was by way of Hungary, Bulgaria, and Russia. After several vain attempts to get in touch with the ruler of the Khazars Hasdai finally succeeded in having an elaborate Hebrew epistle delivered into the hands of King Joseph (about 955).

In his epistle Hasdai first gives an account of himself and his position at the court of Cordova, and then proceeds to beg the King of the Khazars to inform him in detail of the rise and present status of "the Jewish kingdom," being anxious to find out "whether there is anywhere a soil and a kingdom where scattered Israel is not subject and subordinate to others."

Were I to know—Hasdai continues—that this is true, I should renounce my place of honor, abandon my lofty rank, forsake my family, and wander over mountains and hills, by sea and on land, until I reached the dwelling-place of my lord and sovereign, there to behold his greatness and splendor, the seats of his subjects, the position of his servants, and the tranquillity of the remnant of Israel. . . . . Having been cast down from our former glory, and now living in exile, we are powerless to answer those who constantly say unto us: "Every nation hath its own kingdom, while you have no trace [of a kingdom] on earth." But when we received the news about our lord and sovereign, about the power of his kingdom and the multitude of his hosts, we were filled with astonishment. We lifted our heads, our spirit revived, and our hands were strengthened, the kingdom of my lord serving us as an answer. Would that this rumor might increase in strength [*i. e.* be verified], for thereby will our greatness be enhanced!

After long and painful waiting Hasdai received the King's reply. In it the ruler of the Khazars gives an account of the heterogeneous composition of his people and the various religions professed by it. He describes how King Bulan and his princes embraced the Jewish faith after testing the various rival creeds, and how zealously it was upheld by the Kings

Obadiah, Hezekiah, Manasseh, Hanukkah, Isaac, Zebulun, Moses (or Manasseh II.), Nissi, Aaron, Menahem, Benjamin, Aaron (II.), the last being the father of the writer, King Joseph. The King continues:

I reside [*i. e.* my residence is situated] at the mouth of the river Ityl [Volga]; at the end of the river is found the Sea of Jorjan [the Caspian Sea]. The beginning of the river is towards the east, at a distance of a four months' journey. Along the banks of the river there are many nations living in towns and villages, in open as well as fortified places. These are their names: Burtas, Bulgar, Suvar, Arisu, Tzarmis, Venentit, Sever, Slaviun.[1] Each of these nations is very numerous, and all of them are tributary to me. From there the boundary turns towards Buarezm [probably Khwarism], up to Jorjan, and all the inhabitants of the seashore, for a distance of one month's journey, are tributary to me. To the south are found Semender, Bak-Tadlud, up to the gates of Bab al-Abwab, which are situated on the coast.[2] . . . . To the west there are Sarkel, Samkrtz, Kertz, Sugdai, Alus, Lambat, Bartnit, Alubika, Kut, Mankup, Budak, Alma, and Gruzin.[3] All these localities are situated on the shores of the Sea of Kostantinia[4] towards the west . . . . They are all tributary to me. Their dwellings and camping-places are scattered over a distance of a four months' journey.

Know and take notice that I live at the mouth of the river [Volga], and with the help of the Almighty I guard the entrance to this river, and prevent the Russians, who arrive in vessels, from passing into the Caspian Sea for the purpose of making their way to the Ishmaelites [Mohammedans]. In the same manner I keep the enemies on land from approaching the gates of Bab al-Abwab. Because of this I am at war with them, and were I to let them pass but once, they would destroy the whole land of the Ishmaelites as far as Bagdad . . . . Our eyes are

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[1] A group of Slav nations.

[2] A group of Caucasian cities (Semender = Tarku, near Shamir-Khan-Shur; Bab al-Abwab = Derbent).

[3] A group of Crimean cities (Kerch, Sudak, Mangup, and others).

[4] *I. e.* Sea of Constantinople, another name for the Black Sea.]

[turned] to God and to the wise men of Israel who preside over the academies of Jerusalem and Babylon. We are far away from Zion, but it has come to our ears that, on account of our sins, the calculations [concerning the coming of the Messiah] have become confused, so that we know nothing. May it please the Lord to act for the sake of His great Name. May the destruction of His temple, and the cutting off of the holy service, and the misfortunes that have befallen us, not appear small in His sight. May the words of the prophet be fulfilled: "And the Lord, whom ye seek, shall suddenly come to His temple" (Mal. iii. 1). We have nothing in our possession [concerning the coming of the Messiah] except the prophecy of Daniel. May the God of Israel hasten our redemption and gather together all our exiled and scattered [brethren] in my lifetime, in thy lifetime, and in the lifetime of the whole house of Israel, who love His name.

The concluding phrases cast a shadow of doubt on the authenticity of this epistle or, more correctly, of some parts of both epistles, which more probably reflect the mournful Messianic temper of the sixteenth century, when this correspondence was brought to light by Spanish exiles who had made their way to Constantinople, than the state of mind of a Spanish dignitary or a Khazar king of the tenth century. However, the essential data contained in Joseph's epistle are so completely in accord with the reports of contemporaneous Arabic writers that the substance of this correspondence may be safely declared to be authentic.[1]

Joseph's epistle must have arrived in Spain about 960. Only a few years later events occurred which made this King the last ruler of the Khazars. The apprehensions, voiced in

[1] This supposition is confirmed by a recently discovered Genizah fragment containing a portion of another Khazar epistle, which supplements and modifies the epistle of King Joseph. See Schechter, "An Unknown Khazar Document," Jewish Quarterly Review, new series, iii. 181 ff.

his letter, concerning the Russians, with whom the King was at war, and who were ready to "destroy the whole land of the Ishmaelites as far as Bagdad," were speedily realized. A few years later the Slavonian tribes, who had in the meantime been united under the leadership of Russian princes, not only threw off the yoke of the Khazars, whose vassals they were, but also succeeded in invading and finally destroying their center at the mouth of the Volga. Prince Svyatoslav of Kiev devastated the Khazar territories on the Ityl, and, penetrating to the heart of the country, dislodged the Khazars from the Caspian region (966-969). The Khazars withdrew to their possessions on the Black Sea, and established themselves in particular on the Crimean Peninsula, which for a long time retained the name of Khazaria.

The greatly reduced Khazar kingdom in Tauris, the survival of a mighty empire, was able to hold its own for nearly half a century, until in the eleventh century it fell a prey to the Russians and Byzantines (1016). The relatives of the last khagan fled, according to tradition, to their coreligionists in Spain. The Khazar nation was scattered, and was subsequently lost among the other nations. The remnants of the Khazars in the Crimea who professed Judaism were in all likelihood merged with the native Jews, consisting partly of Rabbanites and partly of Karaites.

In this way the ancient Jewish settlements on the Crimean Peninsula suddenly received a large increase. At the same time the influx of Jewish immigrants, who, together with the Greeks, moved from Byzantium towards the northern shores of the Black Sea, continued as theretofore, the greater part of these immigrants consisting of Karaites, who were found in large numbers in the Byzantine Empire. Even the subsequent

dominion of the Pechenegs and Polovtzis, who ruled over the Tauris region after the downfall of the Khazars, failed to uproot the ancient traditions, and as late as the twelfth century the name Khazaria meets us in contemporary documents. About the year 1175 the traveler Pethahiah of Ratisbon visited "the land of the Kedars and that of the Khazars, which are separated from each other by a sea tongue," meaning the continental part of Tauris, where the nomadic Polovtzis (Kedars) were roaming about, and the Crimean Peninsula, between which two regions lie the Gulf of Perekop and the isthmus of the same name. In the land of the Kedars Pethahiah did not find genuine Jews, but *minim,* heretics or sectarians, who "do not believe in the traditions of the sages, eat their Sabbath meal in the dark, are ignorant of the Talmudic forms of the benedictions and prayers, and have not even heard of the Talmud." It is evident that the author is describing the Karaites.

3. The Jews in the Early Russian Principalities and in the Tataric Khanate of the Crimea [1]

With the growth of the Russian Principality of Kiev, which received its ecclesiastic organization from the hands of Byzantine monks, it gradually became another objective of Jewish immigration. The Jews came thither not only from Kha-

[1 During the early centuries of its existence Russia was made up of a number of independent principalities, over which the Principality of Kiev, "the mother of Russian cities," exercised, or rather claimed, the right of overlordship. From 1238 to 1462 the Russian lands were subject to the dominion of the Tatars. During the fourteenth century, while yet under Tatar rule, the Principality of Moscow gained the ascendancy over the other Russian states. The absorption of the latter and the creation of the autocratic Tzardom of Muscovy was the work of Ivan III. (1462-1505), his son Basil (1505-1533), and his grandson Ivan IV. the Terrible (1533-1584).]

zaria, or the Crimea, but also, following in the wake of the Greeks, from the Empire of Byzantium, developing the commercial life of the principality and connecting that primitive region with the centers of human civilization. The popular legend, which is reproduced in the ancient Russian chronicles, and is no doubt tinged with the spirit of Byzantine clericalism, makes the Jews participate in the competition of religions for the conquest of pagan Russia, in that famous spectacle of the "test of creeds" which took place in 986 in the presence of Vladimir, Prince of Kiev.

The church legend narrates that when Vladimir had announced his intention to abandon idolatry, he received a visit from Khazarian Jews, who said to him: "We have heard that the Christians have come to preach their faith, but they believe in one who was crucified by us, while we believe in the one God, the God of Abraham, Isaac, and Jacob." Vladimir asked the Jews: "What does your law prescribe?" To this they replied: "To be circumcised, not to eat pork or game, and to keep the Sabbath." "Where is your country?" inquired the Prince. "In Jerusalem," replied the Jews. "But do you live there?" he asked. "We do not," answered the Jews, "for the Lord was wroth with our forefathers, and scattered us all over the earth for our sins, while our land was given away to the Christians." Thereupon Vladimir exclaimed: "How then dare you teach others when you yourselves are rejected by God and scattered? If God loved you, you would not be dispersed in strange lands. Do you intend to inflict the same misfortune on me?"

This popular tradition is historically true only insofar as it reflects the ecclesiastic and political struggle of the time. It was in Taurian Chersonesus, the ancient scene of Jewish and Byzantine rivalry, that the threads were woven which subsequently tied pagan Russia to Byzantium. The attempts of the Taurian, or Khazarian, Jews to assert their claims in the

religious competition at Kiev were bound to prove a failure. For community of political and economic interests was forcing Byzantium and the Principality of Kiev into an alliance, which was finally consummated at the end of the tenth century by the conversion of Russia to Greek Orthodox Christianity. The alliance resulted in the downfall of their common enemy, the Khazars, who, for several centuries, had been struggling with the Byzantines on the shores of the Black Sea, and at the same time had held in subjection the tribes of the Slavs. In consequence of the defeat of the Khazars, a part of the Jewish-Khazarian center in Tauris was transferred to the Principality of Kiev.

The coincidence of the settlement of Jews in Kiev with the conversion of Russia to the Greek Orthodox faith foreshadows the course of history. The very earliest phase of Russian cultural life is stamped by the Byzantine spirit of intolerance in relation to the Jews. The Abbot of the famous Pechera monastery, Theodosius (1057-1074), taught the Kiovians to live at peace with friends and foes, "but with their own foes, not with those of God." God's foes, however, are Jews and heretics, "who hold a crooked religion." In the Life of Theodosius written by the celebrated Russian chronicler Nestor we are told that this austere monk was in the habit of getting up in the night and secretly going to the Jews to argue with them about Christ. He would scold them, branding them as wicked and godless, and would purposely irritate them, in the hope of being killed "for the profession of Christ" and thus attaining to martyrdom, though it would seem that the Jews consistently refused to grant him this pleasure. Hatred against Jews and Judaism was equally preached by Theodosius' contemporaries Illarion and John, Metropolitans of Kiev (about 1050 and 1080).

This propaganda of religious intolerance did not remain without effect. In the beginning of the twelfth century the Jewish colony of Kiev experienced the first pogrom. Under Grand Duke Svyatopolk II. (1093-1113) the Jews of Kiev had enjoyed complete liberty of trade and commerce. The Prince had protected his Jewish subjects, and had intrusted some of them with the collection of the customs and other ducal imposts. But during the interregnum following the death of Svyatopolk (1113) they had to pay dearly for the liberty enjoyed by them. The Kiovians had offered the throne of the principality to Vladimir Monomakh, but he was slow about entering the capital. As a result, riots broke out. The Kiev mob revolted, and, after looting the residences of several high officials, threw itself upon the Jews and plundered their property. The well-intentioned among the inhabitants of Kiev dispatched a second delegation to Monomakh, warning him that, if he tarried longer, the riots would assume formidable dimensions. Thereupon Monomakh arrived and restored order in the capital.

Nevertheless the Jews continued to reside in Kiev. In 1124 they suffered severely from a fire which destroyed a considerable portion of the city. In the chronicles of that period (1146-1151) mention is frequently made of the "Jewish gate" in Kiev. Jewish merchants were attracted towards this city, a growing commercial center serving as the connecting link between Western Europe on the one hand and the Black Sea provinces and the Asiatic continent on the other. Reference to Kiev is made by the Jewish travelers of the time, Benjamin of Tudela and Pethahiah of Ratisbon (1160-1190). The former speaks of "the kingdom of Russia, stretching from the gates of Prague to the gates of Kiev, a large city on the border

of the kingdom." The latter, Pethahiah, informs us that, on leaving his home in Ratisbon, he proceeded to Prague, the capital of Bohemia; from Prague he went to Poland, and from there "to Kiev, which is in Russia," whereupon he traveled for six days, until he reached the Dnieper, and, having crossed it, finally arrived on the coast of the Black Sea and in the Crimea.

After the Crusades, when considerable settlements of Jewish immigrants from Germany began to spring up in Poland, part of these immigrants found their way into the Principality of Kiev. The German rabbis of the twelfth century occasionally refer in their writings to the journeys of German Jews traveling with their merchandise to "Russ" and "Sclavonia" (= Slavonia, Slav countries). The Jews of Russia, who lacked rabbinical authorities of their own, addressed their inquiries to the Jewish scholars of Germany, or sent their studious young men to the West to obtain a Talmudic education. Hebrew sources of the twelfth century make mention of the names of Rabbi Isaac of Chernigov and Rabbi Moses of Kiev. The latter is quoted as having addressed an inquiry to the well-known Gaon of Bagdad, Samuel ben Ali.

The conquest of the Crimea by the Tatar khans in the thirteenth century and the gradual extension of their sovereignty to the Principalities of Kiev and Moscow brought the old center of Judaism in the Tauris region in close contact with its offshoots in various parts of Russia. Kiev enters into regular commercial intercourse with Kaffa (Theodosia) on the Crimean sea-shore. Kaffa becomes during that period an international emporium, owing to the Genoese, who had obtained from the Tatar khans concessions for Kaffa and the surrounding country, and had founded there a commercial colony of the

Genoese Republic. The Crimean Peninsula was joined to the world commerce of Italy, and merchantmen were constantly ploughing the seas between Genoa and Kaffa, passing through the Byzantine Dardanelles. Italians, Greeks, Jews, and Armenians flocked to Kaffa and the adjacent localities on the southern coast of the Crimea. The Government of the Genoese Republic time and again instructed its consuls who were charged with the administration of the Crimean colony to observe the principles of religious toleration in their attitude towards this heterogeneous population. If the testimony of the traveler Schiltberger, who visited the Crimea between 1394 and 1427, may be relied upon, there were in Kaffa Jews "of two kinds," evidently Rabbanites and Karaites, who had two synagogues and four thousand houses, an imposing population to judge by its numbers.

The great crisis in the history of Byzantium—the capture of Constantinople by the Turks—affected also the Genoese colony in the Crimea. The Turks began to hamper the Genoese in their navigation through the straits. In 1455 the Genoese Government ceded its Kaffa possessions to the Bank of St. George in Genoa. The new administration set out to restore order in the colony and establish normal relations between the various races inhabiting it; but the days of this cultural oasis on the Black Sea were numbered. In 1475 Kaffa was taken by the Turks, and the whole peninsula fell under Turco-Tataric dominion.

Important Jewish communities were to be found during that period also in the older Tataric possessions of the Crimea. Two Jewish communities, one consisting of Rabbanites and the other of Karaites, flourished, during the thirteenth century, in the ancient capital of the Tatar khans, named Solkhat (now

Eski-Krym). Beginning with 1428, the old Karaite community of Chufut-Kale ("the Rock of the Jews"), situated near the new Tatar capital, Bakhchi-Sarai, grows in numbers and influence. The memory of this community is perpetuated by a huge number of tombstones, ranging from the thirteenth to the eighteenth century. Crimea, now peopled with Jews, sends forth settlers to Lithuania, where, at the end of the fourteenth century, Grand Duke Vitovt [1] takes them under his protection. Crimean colonies spring up in the Lithuanian towns of Troki and Lutzk, which, as will be seen later, are granted extensive privileges by the ruler of the land.

The establishment of Turkish sovereignty over the Crimea (1475-1783) resulted in a closer commercial relationship between the Jewish center on the Peninsula and the Principality of Moscow, which at that time fenced herself off from the outside world by a Chinese wall, and, with few exceptions, barred from her dominions all foreigners and infidels, or "Basurmans." [2] In the second half of the fifteenth century the Grand Duke of Muscovy, Ivan III., was constrained to seek the help of several Crimean Jews in his diplomatic negotiations with the Khan of the Crimea, Mengli-Guiray. One of the agents of the Muscovite Prince was an influential Jew of Kaffa, by the name of Khoza Kokos, who was instrumental in bringing about a military alliance between the Grand Duke and the Khan (1472-1475). It is curious to note that Kokos wrote his letters to Ivan III. in Hebrew, so that the Muscovite ruler, who evidently could find no one in Moscow familiar with that language, had to request his agent to correspond with him in

[1 Also written Witowt. Another form of the name is Witold.]

[2 *Basurman*, or *Busurman*, mutilated from *Mussulman*, is an archaic and contemptuous designation for Mohammedans and in general for all who do not profess the Greek Orthodox faith.]

Russian or "in the Basurman language" (Tataric or perhaps Italian). Another agent of Ivan III., Zechariah Guizolfi, was an Italian Jew, who had previously occupied an important post in the Genoese colony in the Crimea, and was the owner of the Taman Peninsula ("the Prince of Taman"). He stood in close relations to Khan Mengli-Guiray, and in this capacity carried on a diplomatic correspondence with the Prince of Muscovy (1484-1500). Later on Zechariah was on the point of taking up his abode in Moscow in order to participate more directly in the foreign affairs of Russia, but circumstances interfered with the execution of the plan.

During the same period there arose in Moscow, as the result of a secret propaganda of Judaism, a religious movement known under the name of the "Judaizing heresy." According to the Russian chroniclers, the originator of this heresy was the learned Jew Skharia (Zechariah), who had emigrated with a number of coreligionists from Kiev to the ancient Russian city of Novgorod. Profiting by the religious unrest rife at that time in Novgorod—a new sect, called the Strigolniki,[1] had arisen in the city, which abrogated the Church rites, and went to the point of denying the divinity of Christ—Zechariah got in touch with several representatives of the Orthodox clergy, and succeeded in converting them to Judaism. The leaders of the Novgorod apostates, the priests Denis and Alexius, went to Moscow in 1480, and converted a number of the Greek Orthodox there, some of the new converts even submitting to the rite of circumcision. The "Judaizing heresy" was soon intrenched among the nobility of Moscow and in the court circles. Among its sympathizers was the daughter-in-law of the Grand Duke, Helena.

[1 The name is derived from their founder, Carp Strigolnik.]

The Archbishop of Novgorod, Hennadius, called attention to the dangerous propagation of the "Judaizing heresy," and made valiant efforts to uproot it in his diocese. In Moscow the fight against the new doctrine proved extremely difficult. But here too it was finally checked, owing to the vigorous endeavors of Hennadius and other Orthodox zealots. By the decision of the Church Council of 1504, supported by the orders of Ivan III., the principal apostates were burned at the stake, while the others were cast into prison or exiled to monasteries. As a result, the "Judaizing heresy" ceased to exist.[1]

Another tragic occurrence in the same period affords a lurid illustration of Muscovite superstition. At the court of Grand Duke Ivan III. the post of physician was occupied by a learned Jew, Master Leon, who had been invited from Venice. In the beginning of 1490 the eldest son of the Grand Duke fell dangerously ill. Master Leon tried to cure his patient by means of hot cupping-glasses and various medicaments. Questioned by the Grand Duke whether his son had any chances of recovery, the physician, in an unguarded moment, replied: "I shall not fail to cure your son; otherwise you may put me to death!" On March 15, 1490, the patient died. When the forty days of mourning were over, Ivan III. gave orders to cut off the head of the Jewish physician for his failure to effect a cure. The execution was carried out publicly, on one of the squares of Moscow.

In the eyes of the Muscovites both the learned theologian Skharia and the physician Leon were adepts of the "black art," or magicians. The "Judaizing heresy" instilled in them a superstitious fear of the Jews, of whom they only knew

[1 For later "Judaizing" tendencies in Russia, see pp. 251 *et seq.* and 401 *et seq.*]

by hearsay. As long as such ideas and manners prevailed, the Jews could scarcely expect to be hospitably received in the land of the Muscovites. No wonder then that for a long time the Jews appear there, not in the capacity of permanent residents, but as itinerant merchants, who in a few cases—and with extreme reluctance at that—are accorded the right of temporary sojourn in "holy Russia."

CHAPTER II

THE JEWISH COLONIES IN POLAND AND LITHUANIA

1. The Immigration from Western Europe during the Period of the Crusades

While the Jewish colonies on the shores of the Black Sea and on the territory of modern South Russia were due to immigration from the lands of the Greco-Byzantine and Mohammedan East, the Jewish settlements in Poland were founded by new-comers from Western Europe, from the lands of German culture and "the Latin faith."[1] This division was a natural product of the historic development that made Slavonian Russia gravitate towards the East, and Slavonian Poland turn towards the West. Even prior to her joining the ecclesiastic organization of the West, Poland had attained to prominence as a commercial colony of Germany. The Slav lands on the banks of the Varta and Vistula, being nearest to Western Europe, were bound to attract the Jews, at a very early period, in their capacity as international traders. There is reason to believe that, as far back as the ninth century, Jews living in the German provinces of Charlemagne's Empire carried on commerce with the neighboring Slav countries, and visited Poland with their merchandise. These ephemeral visits frequently led to their permanent settlement in those strange lands.

[1] It need scarcely be pointed out that, in speaking of the Jewish immigration into Poland, we have in mind the *predominating* element, which came from the West. It is quite possible that there was an admixture of settlers from the Khazar kingdom, from the Crimea, and from the Orient in general, who were afterwards merged with the western element.

Information concerning the Jews of pre-Christian Poland has come down to us in the shape of hazy legends. One of these legends narrates that, after the death of Prince Popiel, about the middle of the ninth century, the Poles assembled in Krushvitza, their ancient capital, to choose a successor to the dead sovereign. After prolonged disputes concerning the person to be elected, it was finally agreed that the first man found entering the town the following morning should be chosen as the ruler. It so happened that on the following morning the first to enter the town was the Jew Abraham Prokhovnik.[1] He was seized and proclaimed prince, but he declined the honor, urging that it be accorded to a wise Pole by the name of Piast, who thus became the progenitor of the Piast dynasty.

Another legend has it that at the end of the ninth century a Jewish delegation from Germany waited upon the Polish Prince Leshek, to plead for the admission of Jews into Poland. Leshek subjected the delegates to a protracted cross-examination concerning the principles of the Jewish religion and Jewish morality, and finally complied with their request. Thereupon large numbers of German Jews began to arrive in Poland, and, in 905, they obtained special written privileges, which, according to the same legend, were subsequently lost. These obscure tales, though lacking all foundation in fact, and undoubtedly invented in much later times, contain a grain of historic truth, in that they indicate the existence of Jewish settlements in pagan Poland, and point to their German origin.

The propagation of Latin Christianity in Poland (beginning with 966), which placed the country under the control not only

[1] The word signifies "the powder merchant"—five hundred years before the invention of powder!

of the emperors of Germany but also of its bishops as the representatives of the Roman See, was bound to stimulate the intercourse between the two countries and result in an increased influx of Jewish merchants and settlers. However, this slow commercial colonization would scarcely have assumed any considerable dimensions, had not exceptional circumstances forced a large number of Jews to seek refuge in Poland. A compulsory immigration of this kind began after the first Crusade, in 1096. It started in near-by Slavonian Bohemia, where the Crusaders attacked the Jews of Prague, and converted them forcibly to Christianity. The Bohemian Jews made up their minds to flee to neighboring Poland, which had not yet been reached by the devastating Christian hosts. The Bohemian Prince Vratislav robbed the immigrants on the way, but even this could not prevent many of them from leaving the country in which both people and Government were hostile to them (1098).

Beginning with this period there was a steady flow of Jews from the Rhine and Danube provinces into Poland, increasing in volume as a result of the Crusades (1146-1147 and 1196) and the severe Jewish persecutions in Germany. The accentuation of Jewish suffering in Germany during the twelfth and thirteenth centuries, when the royal power was incapable of shielding its *Kammerknechte* against the fury of the fanatical mob or the degrading canons of the Church, drove vast numbers of Jews into Poland. Here the refugees sought shelter in the provinces nearest to the Austro-German border, Cracow, Posen, Kalish, and Silesia.

The first signs of discord between Christians and Jews are to be noticed in the second half of the twelfth century, when Poland fell asunder into several feudal Principalities, or

"Appanages."[1] The Prince of Great Poland, Mechislav III., the Old, in his desire to enforce law and order, found it necessary to issue, in 1173, strict injunctions forbidding all kinds of violence against the Jews and in particular the attacks upon them by Christian "scholars," the pupils of the ecclesiastic and monastic colleges. Those found guilty of such attacks were to be heavily fined. On the whole, the rulers were willing to take the Jews under their protection. Under Mechislav the Old, Casimir the Just, and Leshek the White, who reigned at the end of the twelfth and the beginning of the thirteenth century, the Jews farmed and administered the mint of Great and of Little Poland. On the coins struck by these Jews, many of which have come down to us, the names of the ruling princes are marked in Hebrew characters.[2] At the very beginning of the thirteenth century (1203-1207) we hear of Jews owning lands and estates in Polish Silesia.

Such was the rise and growth of the Jewish colonies in Poland. As time went on, the commercial intercourse between these colonies and the West led to a spiritual relationship between them and the centers of Jewish culture in Europe. A

[1] The most important of these were: Great Poland, in the northwest, with the leading cities of Posen and Kalish; Little Poland, in the southwest, with Cracow and Lublin; and Red Russia, in the south, on which see p. 53, n. 2. In 1319 Great Poland and Little Poland were united by Vladislav Lokietek (see p. 50), who assumed the royal title. His son Casimir the Great annexed Red Russia. Thenceforward Great Poland, Little Poland, and Red Russia formed part of the Polish Kingdom, with Cracow as capital, though they were administered as separate Provinces. On the Principality of Mazovia, see p. 85, n. 1.]

[2] Some coins bear the inscription משקא קרל פולסקי, "Meshko (= Mechislav) Król Polski," "Meshko, king of Poland," or ברכה משקא, "Benediction [on] Meshko." Other coins give the names of the Jewish minters, such as Abraham, son of Isaac Nagid, Joseph Kalish, etc.

contemporary Bohemian scholar of the Tosafist school, Rabbi Eliezer, informs us that the Jews of Poland, Russia, and Hungary, having no scholars of their own, invited their spiritual leaders from other countries, probably from Germany. These foreign scholars occupied the posts of rabbis, cantors, and school teachers among them, and were remunerated for their services. At the same time studious Polish Jews were in the habit of going abroad to perfect themselves in the sciences, as was also the case with the Jewish settlers in Russia. From the German mother country the Polish Jews received not only their language, a German dialect, which subsequently developed into the Polish-Jewish jargon, or Yiddish, but also their religious culture and their communal organization. All this, however, was in an embryonic stage, and only gradually unfolded in the following period.

2. The Charter of Prince Boleslav and the Canons of the Church

The importance of Jewish immigration for the economic development of Poland was first realized by the feudal Polish princes of the thirteenth century. Prompted by the desire of cultivating industrial activities in their dominions, these princes gladly welcomed settlers from Germany, without making a distinction between Jews and Christians. Nor did the native Slav population suffer inconvenience from this immigration, which, on the contrary, brought the first elements of a higher civilization into the country. In a land which had not yet emerged from the primitive stage of agricultural economy, and possessed only two fixed classes, owners of the soil and tillers of the soil, the Jews naturally represented the "third estate," acting as the pioneers of trade and

finance. They put their capital in circulation, by launching industrial undertakings, by leasing estates, and farming various articles of revenue (salt mines, customs duties), and by engaging in money-lending. The native population, which medieval culture, with its religious intolerance and class prejudice, had not yet had time to "train" properly, lived at peace with the Jews.

The influence of the Church, on the one hand, and that of adjacent Christian Germany, on the other, slowly undermined this patriarchal order of things. The popes dispatched their legates to Poland to see to it that the well-known canonical statutes, which were permeated with implacable hatred against the adherents of Judaism, did not remain a dead letter, but were carried out in practice. During the same period the Polish princes, in particular Boleslav the Shy (1247-1279), endeavored to draw German emigrants into Poland, by bestowing upon them considerable privileges and the right of self-government, the so-called "Magdeburg Law," or *ius teutonicum*.[1] The Germans, while settling in the Polish cities as merchants and tradesmen,[2] and thus becoming the competitors of the Jews, imported from their native land into the new environment the spirit of economic class strife and denominational antagonism. The best of the Polish rulers were forced

[1 *Das Magdeburger Recht*, a collection of laws based on the famous *Sachsenspiegel*, which was composed early in the thirteenth century in Saxony. Owing to the fame of the court of aldermen (*Schöppenstuhl*) at Magdeburg, the Magdeburg Law was adopted in many parts of Germany, Bohemia, Hungary, and particularly of Poland. One of its main provisions was the administrative and judicial independence of the municipalities.]

[2 They were organized in mercantile guilds and trade-unions and formed the estate of burghers, called in Polish *mieszczanie*—pronounced *myeshchanye*—and in Latin *oppidani*, "town-dwellers," thus standing midway between the nobility, or *Shlakhta* (see p. 58, n. 1), and the serfs, or *khlops*.]

to combat the effects of this foreign importation, and found it necessary to encourage the economic activity of the Jews for the benefit of the country and to shield them against the insults of their Christian neighbors.

Boleslav of Kalish, surnamed the Pious, who ruled over the territory of Great Poland, was a prince of this kind. In 1264, with the consent of the highest dignitaries of the state, he promulgated a statute defining the rights of the Jews within his dominions. This charter of privileges, closely resembling in its contents the statutes of Frederick of Austria and Ottocar of Bohemia, became the corner-stone of Polish-Jewish legislation. Boleslav's charter consists of thirty-seven paragraphs, and begins with these words:

> The deeds of man, when unconfirmed by the voice of witnesses or by written documents, are bound to pass away swiftly and disappear from memory. Because of this, we, Boleslav, Prince of Great Poland, make it known to our contemporaries as well as to our descendants, to whom this writing shall come down, that the Jews, who have established themselves over the length and breadth of our country, have received from us the following statutes and privileges.

The first clause of the charter prescribes that, when civil and criminal cases are tried in court, the testimony of a Christian against a Jew is to be accepted only if confirmed by the deposition of a Jewish witness. The following clauses (§§2-7) determine the process of law in litigation between Christians and Jews, involving primarily pawnbroking; the rules prescribed there protect equally the interests of the Jewish creditor and the Christian debtor. Lawsuits between Jew and Jew do not fall within the jurisdiction of the general municipal courts, but are tried either by the prince himself or by his lord

lieutenant, the voyevoda,[1] or the special judge appointed by the latter (§8). The Christian who has murdered or wounded a Jew answers for his crime before the princely court: in the former case the culprit incurs "due punishment," and his property is forfeit to the prince; in the latter case he has to satisfy the plaintiff, and must in addition pay a fine into the princely exchequer (§§9-10).

This is followed by a set of paragraphs which guarantee to the Jew the inviolability of his person and property. They forbid annoying Jewish merchants on the road, exacting from them higher customs duties than from Christians, demolishing Jewish cemeteries, and attacking synagogues or "schools" (§§12-15). In case of a nocturnal assault upon the home of a Jew, the Christian neighbors are obliged to come to his rescue as soon as they hear his cries; those who fail to respond are subject to a fine (§36).

The rights and functions of the "Jewish judge,"[2] who is appointed to try cases between Jew and Jew, sitting "in the neighborhood of the synagogue or in some other place," are set forth elaborately (§§16-23). The kidnaping of Jewish children

[1] The word, spelled in Polish *wojewoda*, signifies, like the corresponding German *Herzog*, military commander. The voyevoda was originally the leader of the army in war and the representative of the king in times of peace. After the unification of Poland, in 1319, the voyevodas became the administrators of the various Polish provinces (or *voyevodstvos*) on behalf of the king. Later on their duties were encroached upon by the starostas (see below, p. 60, n. 1). With the growth of the influence of the nobility, which resented the authority of the royal officials, their functions were limited to the calling of the militia in the case of war and the exercise of jurisdiction over the Jews of their province. They were members of the Royal Council, and as such wielded considerable influence. Their Latin title was *palatinus*.]

[2] *Judex Judaeorum*. He was a Christian official, generally of noble rank. See p. 52.]

with the view of baptizing them is severely punished (§27). The charter further prohibits charging the Jews with the use of Christian blood for ritual purposes, in view of the fact that the groundlessness of such charges had been demonstrated by papal bulls. Should nevertheless such charges be raised, they must be corroborated by six witnesses, three Christians and three Jews. If the charges are substantiated, the guilty Jew loses his life; otherwise the same fate overtakes the Christian informer (§32). All these legal safeguards were, in the words of the charter, to remain in force "for all time."

The Polish lawgiver was evidently anxious to secure for the Jews such conditions of life as might enable them to benefit the country by their commercial activity, while enjoying liberty of conscience and living in harmony with the non-Jewish population. Boleslav's enactment expresses, not the individual will of the ruler, but the collective decision of the highest dignitaries and the representatives of the estates, who, as is pointed out in the document, had been previously consulted.

Thus the temporal powers of the state, guided by the economic needs of the country, endeavored to establish Jewish life in Poland on more or less rational civic foundations. The ecclesiastic authorities, however, inspired rather by the cosmopolitan ideals of the Roman Church than by love of their native land, strained all their energies to detach the Jews from the general life of the country. They segregated them from the Christian population because of their alleged injuriousness to the Catholic faith, and reduced them to the position of a despised caste. The well-known Church Council of Breslau, convened in 1266 by the Papal Legate Guido, had the special mission of introducing in the oldest Polish diocese, that of Gnesen, the canonical laws, including those applying to the

Jews. The motives by which this legislation was prompted are frankly stated in the preamble to the section of the Breslau "constitution" which deals with the Jews:

> In view of the fact—runs clause 12—that Poland is a new plantation on the soil of Christianity (*quum adhuc terra Polonica sit in corpore Christianitatis nova plantatio*), there is reason to fear that her Christian population will fall an easy prey to the influence of the superstitions and evil habits of the Jews living among them, the more so as the Christian religion took root in the hearts of the faithful of these countries at a later date and in a more feeble manner. For this reason we most strictly enjoin that the Jews residing in the diocese of Gnesen shall not live side by side with the Christians, but shall live apart, in houses adjoining each other or connected with one another, in some section of the city or village. The section inhabited by Jews shall be separated from the general dwelling-place of the Christians by a hedge, wall, or ditch.

The Jews owning houses in the Christian quarter shall be compelled to sell them within the shortest term possible.

Further injunctions prescribe that the Jews shall lock themselves up in their houses while church processions are marching through the streets; that in each city they shall possess no more than one synagogue; that, "in order to be marked off from the Christians," they shall wear a peculiarly shaped hat, with a horn-like shield (*cornutum pileum*), and that any Jew showing himself on the street without this headgear shall be subject to punishment, in accordance with the custom of the country.

The Christians are forbidden, under penalty of excommunication, to invite Jews to a meal, or to eat and drink with them, or dance and make merry with them at weddings and other celebrations. The Christians are barred from buying meat and other eatables from Jews, since the sellers might treacherously put poison in them.

These prohibitions are followed by the ancient canonical enactments forbidding the Jews to keep Christian servants, nursery-maids, and wet-nurses, and barring them from collecting customs duties and exercising any other public function. A Jew living unlawfully with a Christian woman is liable to imprisonment and fine, while the woman is subject to a public whipping and to banishment from the town for all time.

The Church Council which held its sessions in Buda (Ofen), in Hungary, in 1279, was attended by the highest ecclesiastic dignitaries of Poland. This Council ratified the clause concerning the "Jewish sign," supplementing it by the following details: The Jews of both sexes shall be obliged to wear a ring of red cloth sewed on to their upper garment, on the left side of the chest. The Jew appearing on the street without this sign shall be accounted a vagrant, and no Christian shall have the right to do business with him. A similar sign, only of saffron color, is prescribed for "Saracens and Ishmaelites," *i. e.* for Mohammedans. The law barring Jews from the collection of customs and the discharge of other public functions is extended by the Synod of Buda to the "sectarians," to the Christians of the Greek Orthodox persuasion.

In this manner the condition of the Jews of Poland in the thirteenth century was determined by two factors operating in different directions: the temporal powers, actuated by economic considerations, accorded the Jews the elementary rights of citizenship, while the ecclesiastic powers, prompted by religious intolerance, endeavored to exclude the Jews from civil life. As long as patriarchal conditions of life prevailed, and Catholicism in Poland had not yet assumed complete control over the country, the policy of the Church was

powerless to inflict serious damage upon the Jews. They lived in safety, under the protection of the Polish princes, and, except for the German immigrants, managed to get along peaceably with the Christian population. But the clerical party was looking out for the future, taking assiduous care that "the new plantation on the soil of Christianity" should develop along the lines of the older plantations, and was scattering the seeds of religious hatred in the patient expectation of a plentiful harvest.

3. Rise of Polish Jewry under Casimir the Great

The Jewish emigration from Western Europe assumed especially large proportions in the first part of the fourteenth century. The butcheries perpetrated by the hordes of Rindfleisch and Armleder, and the massacres accompanying the Black Death, forced a large number of German Jews to seek shelter in Poland, which was then undergoing the process of unification and rejuvenation. In 1319, King Vladislav[1] Lokietek[2] laid the foundation for the political unity of Poland by abolishing the former feudal divisions, and his famous son Casimir the Great (1333-1370) was indefatigable in his endeavors to raise the level of civil and economic life in his united realm. Casimir the Great founded new cities and fortified old ones, promoted commerce and industry, and protected, with equal solicitude, the interests of all classes, not excluding those of the peasants. He was styled the "peasant king," and the popular commendation of his efforts in the upbuilding of the cities was crystallized in the saying that

[1 In Polish, Wladyslaw. The name is also found in the forms Wladislaus and Ladislaus.]

[2 *I. e.* "Span-long," so called because of his diminutive stature.]

Casimir the Great "found a Poland of wood and left behind him a Poland of stone."

A ruler of this type could not but welcome the useful industrial activity of the Jews with the liveliest satisfaction. He was anxious to bring them in close contact with the Christian population on the common ground of peaceful labor and mutual helpfulness. He was equally quick to appreciate the advantages which the none too flourishing royal exchequer might derive from the experience of Jewish capitalists. Such must have been the motives which actuated Casimir when, in the second year of his reign (1344), he ratified, in Cracow, the charter which Boleslav of Kalish had granted to the Jews of Great Poland, and which he now extended in its operation to all the provinces of the kingdom.

On later occasions (1346-1370) Casimir amplified the charter of Boleslav by adding new enactments. In view of the hostility of the municipalities and the clergy towards the Jews, the King found it necessary to insist in particular on placing Jewish legal cases under his own jurisdiction, and taking them out of the hands of the municipal and ecclesiastic authorities. The Jews were granted the following privileges: the right of free transit through the whole country, of residing in the cities, towns, and villages, of renting and mortgaging the estates of the nobility, and lending money at a fixed rate of interest, the last pursuit being closed to Christians by virtue of canonical restrictions, and therefore left entirely in the hands of the Jews. The Polish lawgiver was equally solicitous about enforcing respect for the Jew as a human being and drawing him nearer to the Christian in private life, in violent contradiction with the tendency of the Church to isolate the infidels from the "flock of the faithful." "If the Jew," runs

one of the clauses of Casimir's charter, "enters the house of a Christian, no one has a right to cause him any injury or unpleasantness. Every Jew is allowed to visit the municipal baths in safety, in the same way as the Christians,[1] and pay the same fee as the Christians."

Casimir was equally interested in ordering the inner life of the Jews. The "Jewish judge," a Christian official appointed by the king to try Jewish cases, was enjoined to dispense justice in the synagogue or some other place, in accordance with the wishes of the representatives of the Jewish community. The rôle of process-server was assigned to the "schoolman," *i. e.* the synagogue beadle. This was the germ of the future system of Kahal autonomy.

It seems that in the fateful year of the Black Death (1348-1349) the Polish Jews too were in great danger. On the wings of the plague, which penetrated from Germany to Poland, came the hideous rumor charging the Jews with having poisoned the wells. If we are to trust the testimony of an Italian chronicler, Matteo Villani, some ten thousand Jews in the Polish cities bordering on Germany met their fate in 1348 at the hands of Christian mobs, even the King being powerless to shield the unfortunates against the fury of the people. A vague account in an old Polish chronicle relates that in the year 1349 the Jews were exterminated "in nearly the whole of Poland." It is possible that attacks on the Jews took place in the border towns, but, judging by the fact that the Jewish chroniclers, in describing the ravages of the Black Death, make no mention of Poland, these attacks cannot have been extensive. Be this as it may, there can be no doubt that, threatened with massacres in Germany, large numbers of Jews

[1] A privilege denied to them by the canons of the Church.

fled to the neighboring towns of Poland, and subsequently settled there.

It may be mentioned in this connection that from about the same time dates the origin of the Jewish community of Lvov (Lemberg),[1] the capital of Red Russia, or Galicia, which had been added to his dominions by Casimir the Great.[2] In 1356 Casimir, in granting the Magdeburg Law to the city of Lemberg, bestowed upon the local Jews the right "of being judged according to their own laws, *i. e.* autonomy in their communal affairs, a privilege accorded at the same time to the Ruthenians, Armenians, and Tatars.

Casimir the Great's attitude towards the Jews was thus a part of his general policy with reference to foreign settlers, whom he believed to be useful for the development of the country. This, however, did not prevent certain evil-minded persons, both then and in later ages, from seeing in these acts of rational statesmanship the manifestation of the King's personal predilections and attachments. Rumor had it that Casimir was favorably disposed towards the Jews because of his infatuation with the beautiful Jewess Estherka. This Jewish belle, the daughter of a tailor, is supposed to have captured the heart of the King so completely that in 1356 he abandoned a former favorite for her sake. Estherka lived in the royal palace of Lobzovo, near Cracow. She bore the King two daughters,

[1 Lvov, written in Polish Lwów, is used by the Poles and Russians; Lemberg is used by the Germans.]

[2 Before Casimir the Great Red Russia formed an independent Principality (see p. 42, n. 1). The identity of Red Russia with Galicia has been assumed in the text for the sake of convenience. In reality Red Russia corresponds to present-day *Eastern* Galicia, in which the predominating population is Little Russian or Ruthenian, while *Western* Galicia, with Cracow, formed part of Little Poland. In addition Red Russia included a part of the present Russian Government of Podolia.]

who were brought up by their mother in the Jewish religion, and two sons, who were educated as Christians, and who subsequently became the progenitors of several noble families. Estherka was killed during the persecution to which the Jews were subjected by Casimir's successor, Louis of Hungary. The whole romantic episode presents a mixture of fact and fiction in which it is difficult to make out the truth.

Similarly blurred reports have come down to us concerning the persecutions by the new ruler, Louis of Hungary (1370-1382). During the reign of this King, when, as the Polish historians put it, justice had vanished, the law kept silent, and the people complained bitterly about the despotism of the judges and officials, an attempt was made to rob the Jews of the protection of the law. Nursed as he was in the Catholic traditions of Western Europe, Louis persecuted the Jews from religious motives, threatening with expulsion those among them who had refused to embrace the Christian faith. Fortunately for the Jews his reign in Poland was too ephemeral and unpopular to undo the work of his famous predecessor, the last king of the Piast dynasty. Only at a later date, during the protracted reign of the Lithuanian Grand Duke Yaghello, who acquired the Polish crown by marrying, in 1386, Louis' daughter Yadviga, did the Church obtain power over the affairs of the state, gradually undermining the civil status of the Jews of Poland.

4. Polish Jewry during the Reign of Yaghello

With the outgoing fourteenth century, Poland was drawn more and more into the whirlpool of European politics. Catholicism served as the connecting link between this Slav country and Western Europe. Hence the influence of the West mani-

fested itself primarily in the enhancement of ecclesiastic authority, which, being cosmopolitan in character, endeavored to obliterate all national and cultural distinctions. The Polish king Vladislav Yaghello (1386-1434), having been converted from paganism to Catholicism, and having forced his Lithuanian subjects to follow his example, adhered to the new faith with the ardor of a convert, and frequently yielded to the influence of the clergy. It was during his reign that the Jews of Poland suffered their first religious persecution in that country.

The Jews of Posen were charged with having bribed a poor Christian woman into stealing from the local Dominican church three hosts, which supposedly were stabbed and thrown into a pit. From the pierced hosts, so the superstitious rumor had it, blood spurted forth, in confirmation of the Eucharist dogma. Nor was this the only miracle which popular imagination ascribed to the three bits of holy bread. The Archbishop of Posen, having learned of the alleged blasphemy, instituted proceedings against the Jews. The Rabbi of Posen, thirteen elders of the Jewish community, and the woman charged with the theft of the holy wafers, became the victims of popular superstition; after prolonged tortures they were all tied to pillars, and roasted alive on a slow fire (1399). Moreover, the Jews of Posen were punished by the imposition of an "eternal" fine, which they had to pay annually in favor of the Dominican church. This fine was rigorously exacted down to the eighteenth century, as long as the legend of the three hosts lingered in the memory of pious Catholics.

As in the West, religious motives in such cases merely served as a disguise to cover up motives of an economic nature—envy on the part of the Christian city-dwellers of the pros-

perity of the Jews, who had managed to obtain a foothold in certain branches of commerce, and eagerness to dispose in one way or another of inconvenient rivals. Similar motives, coupled with religious intolerance, were responsible for the anti-Jewish riots in Cracow in 1407. In that ancient capital of Poland the Jews had increased in numbers in the beginning of the fourteenth century, and, by their commercial enterprise, had attained to prosperity. The Cracow burghers were jealous of them, and the clergy found it improper that the doomed sons of the Synagogue should live so tranquilly under the shelter of the benevolent Church. A silent but stubborn agitation was carried on against the Jews, their enemies merely waiting for a convenient opportunity to square accounts with them.

On one occasion, on the third day of Easter, the priest Budek, who had gained the reputation of an implacable Jew-baiter, delivered a sermon in the Church of St. Barbara. As he was about to leave the pulpit, he suddenly announced to the worshipers that he had found a notice on the pulpit to this effect: "The Jews living in Cracow killed a Christian boy last night, and made sport over his blood; moreover, they threw stones at a priest who was going to visit a sick man, and was carrying a crucifix in his hands." No sooner had these words been uttered than the people rushed into the Jewish street, and began to loot the houses of "Christ's enemies." The royal authorities hastened to the rescue of the Jews, and by armed force put an end to the riots. But several hours later, when the bells of the town hall began to ring, summoning the members of the magistracy to a meeting, for the purpose of punishing the instigators of the disorders, some one in the crowd shouted that the magistracy was inviting the Chris-

tians to another attack upon the Jews. Thereupon the rabble came running from all parts of the city and began to slay and plunder the Jews, setting fire to their houses. Some Jews sought refuge in the Tower of St. Anne, but the mob set fire to the tower, and the unfortunate Jews had to surrender. A number of them, to save their lives, adopted Christianity, while the children of the slain were all baptized. Many Christians, according to the testimony of the Polish historian Dlugosh,[1] grew rich on the money plundered from the Jews.

One cannot fail to perceive in all these catastrophes the influence of neighboring Germany.[2] It was from Germany that the clerical reaction which followed upon the struggle of the Church with the reformatory Huss movement penetrated to Poland. The Synod of Constance, which condemned Huss, was attended by the Archbishop of Gnesen, Nicholas Tromba, who appeared at the head of a Polish delegation. On his return, this leading dignitary of the Polish Church presided over the proceedings of the Synod of Kalish (1420), which had also been convened in connection with the Huss movement.

At the suggestion of this Archbishop, the Council of Kalish solemnly ratified all the anti-Jewish enactments which had been passed by the Councils of Breslau and Buda (Ofen),[3] but had seldom been carried out in practice. These laws, as will be remembered, forbade all intercourse between Jew and Christian, and ordered the Jews to live in separate quarters, to wear a distinctive mark on the upper garment, and so forth. At the same time the Jews were required to pay a tax in favor

[1] Jan Dlugosz, called in Latin Johannes Longinus [author of *Historia Polonica*. He died in 1480].

[2] The recently published records of the court proceedings in the Cracow pogrom of 1407 show that its principal instigators were German artisans and merchants who resided in that city.

[3] See p. 47 and p. 49.

of the churches of those diocesan districts "where they now live, and where by right Christians ought to live," this tax to correspond to "the losses inflicted by them upon the Christians." These injunctions were issued as special instructions to the members of the clergy in all the dioceses.

The ecclesiastic tendencies gradually forced their way into secular legislation. The fanatics of the Church exerted their influence not only on the King but also on the landed nobility, the *Shlakhta,*[1] which at that time began to take a more active interest in the affairs of the state. At the convention of the Shlakhta in Varta[2] (1423) King Vladislav Yaghello sanctioned a law forbidding the Jews to lend money against written securities, only loans against pledges being permitted. The ecclesiastic origin of this enactment is betrayed in the ugly manner in which the law is justified in the preamble: "Whereas Jewish cunning is always directed against the Christians and aims rather at the property of the Christian than at his creed or person . . ."

5. The Jews of Lithuania during the Reign of Vitovt

An entirely different picture is presented at that time by Lithuania, which, in spite of its dynastic alliance with Poland, retained complete autonomy of administration. The patriar-

[1] Written in Polish *Szlachta*, probably derived from the old German *slahta*, in modern German *Geschlecht*, meaning *tribe, caste.* The Polish Shlakhta was in complete control of the Diet, or *sejm* (pronounced *saym*), from which the other estates, the peasants and burghers, were excluded almost entirely. In the course of time, the Shlakhta succeeded also in wresting the power from the king, who became a mere figurehead.]

[2] In Polish, *Warta*, a town in the province of Kalish. These conventions of the nobility assumed, in the fifteenth century, the character of a national parliament for the whole of Poland.]

chal order of things, which was nearing its end in Poland, was still firmly intrenched in the Duchy of Lithuania, but recently emerged from the stage of primitive paganism. Medieval culture had not yet taken hold of the inhabitants of the wooded banks of the Niemen, and the Jews were able to settle there without having to face violence and persecution.

It is difficult to determine the exact date of the first Jewish settlements in Lithuania. So much is certain, however, that by the end of the fourteenth century a number of important communities were in existence, such as those of Brest, Grodno, Troki, Lutzk, and Vladimir, the last two in Volhynia, which, prior to the Polish-Lithuanian Union of 1579, formed part of the Duchy. The first one to legalize the existence of these communities was the Lithuanian Grand Duke Vitovt, who ruled over Lithuania from 1388 to 1430, partly as an independent sovereign, partly in the name of his cousin, the Polish King Yaghello. In 1388 the Jews of Brest and other Lithuanian communities obtained from Vitovt a charter similar in content to the statutes of Boleslav of Kalish and Casimir the Great, and in 1389 even more extensive privileges were bestowed by him on the Jews of Grodno.

In these enactments the Lithuanian ruler exhibits, like Casimir, an enlightened solicitude for a peaceful relationship between Jews and Christians and for the inner welfare of the Jewish communities. Under the laws enacted by Vitovt the Jews of Lithuania formed a class of free citizens, standing under the immediate protection of the Grand Duke and his local administration. They lived in independent communities, enjoying autonomy in their internal affairs as far as religion and property are concerned, while in criminal

affairs they were liable to the court of the local starosta [1] or substarosta, and, in particularly important cases, to the court of the Grand Duke himself. The law guaranteed to the Jews inviolability of person and property, liberty of religion, the right of free transit, the free pursuit of commerce and trade, on equal terms with the Christians. The Lithuanian Jews carried on business on the market-places or in shops, they plied all kinds of trades, and occasionally engaged in agriculture. Men of wealth lent money on interest, leased from the Grand Duke the customs duties, the revenues on spirits, and other taxes. They held estates either in their own right or in the form of land leases. The taxes which they paid into the exchequer were adapted to the character of their occupations, and on the whole were not burdensome. Aside from the Rabbanite Jews there existed in Lithuania Karaites, who had immigrated from the Crimea, and had established themselves in the regions of Troki and Lutzk.

Accordingly the position of the Jews was more favorable in Lithuania than in Poland. Jewish immigrants, on their way from Germany to Poland, frequently went as far as Lithuania and settled there permanently. Lithuania formed the extreme boundary in the eastward movement of the Jews, Russia and Muscovy being almost entirely closed to them.

[1 Lithuania was administered by starostas as Poland was by voyevodas (see p. 46, n. 1). The starostas—literally "elders"—were originally nobles holding an estate of the crown, which was given to them by the king for special services rendered to him. In the course of time they became, both in Lithuania and in Poland proper, governors of whole regions, taking over many of the functions of the voyevodas. The relationship between the two officers underwent many changes. On the effect of this change upon the jurisdiction of the Jews compare Bloch, *Die General-Privilegien der polnischen Judenschaft*, p. 35.]

6. The Conflict between Royalty and Clergy under Casimir IV. and His Sons

The conflict of tendencies in the Polish legislation concerning the Jews manifested itself with particular violence in the reign of Casimir IV., the third king of the Yaghello dynasty. The attitude of Casimir IV. (1447-1492), who was imbued with the ideas of the humanistic movement then in vogue, was at first that of a wise ruler, the guardian of the common interests of his subjects. As Grand Duke of Lithuania he had followed the liberal Jewish policies of his predecessor Vitovt. He protected the personal and communal rights of both the Rabbanite and Karaite Jews—to the latter he granted, in 1441, the Magdeburg Law—and he frequently availed himself of the services of enterprising Jewish financiers and tax-farmers to increase the revenues of the state.

Having accepted the Polish crown, Casimir was resolved to rule independently and to disregard the designs of the all-powerful clergy. Shortly after his coronation, in August, 1447, while the King was on a visit to Posen, the city was devastated by a terrible fire. During the conflagration the ancient original of the charter which Casimir the Great had bestowed upon the Jews was lost. A Jewish delegation from the communities of Posen, Kalish, and other cities petitioned the King to restore and ratify the old Jewish privileges, on the basis of copies of the charter which had been spared. Casimir readily granted the request of the deputies. "We desire"—he announces in his new charter—"that the Jews, whom we wish to protect in our own interest as well as in the interest of the royal exchequer, should feel comforted in our beneficent reign." Corroborating as it did all the rights and privileges previously conferred upon the Jews—liberty of residence and commerce,

communal and judicial autonomy, inviolability of life and liberty, protection against groundless charges and attacks—the charter of Casimir IV. was a direct protest against the canonical laws only recently reissued for Poland by the Council of Kalish, and for the whole Catholic world by the great Council at Basle. In opposition to the main trend of the Council resolutions, the royal charter permitted the Jews to associate with Christians, and exempted them from the jurisdiction of the ecclesiastic law courts (1453).

The King's liberalism aroused the resentment of the Catholic clergy. The leader of the clerical party was the energetic Archbishop of Cracow, Cardinal Zbignyev Oleshnitzki, who openly headed the forces arrayed in opposition to the King. He denounced Casimir bitterly for granting protection to the Jews, "to the injury and insult of the holy faith."

Do not imagine—Oleshnitzki writes to the King in May, 1454—that in matters touching the Christian religion you are at liberty to pass any law you please. No one is great and strong enough to put down all opposition to himself when the interests of the faith are at stake. I therefore beg and implore your Royal Majesty to revoke the aforementioned privileges and liberties. Prove that you are a Catholic sovereign, and remove all occasion for disgracing your name and for worse offenses that are likely to follow.

In his letter Oleshnitzki refers to the well-known agitator and Jew-baiter, the Papal Legate Capistrano, who had come to Poland from Germany in the fall of 1453. With this "scourge of the Jews" as his ally Oleshnitzki started a campaign against Jews and heretics (or Hussites). On his arrival in Cracow Capistrano delivered on the market-place incendiary speeches against the Jews, and demanded of the King persistently to revoke the "godless" Jewish privileges, threatening him, in

case of disobedience, with the tortures of hell and terrible misfortunes for the country.

At first the King refused to yield, but the march of events favored the anti-Jewish forces. Poland was at war with the Teutonic Order.[1] The first defeat sustained by the Polish troops in this war (September, 1454) gave the clergy an opportunity of proclaiming that the Lord was chastising the country for the King's disregard of Church interests and for his protection of the Jews. At last the King was forced to listen to the demands of the united clergy and nobility. In November, 1454, the Statute of Nyeshava[2] was promulgated, and by one of its clauses all former Jewish privileges were rescinded as "being equally opposed to Divine right and earthly laws." The reasons for the enactment, which were evidently dictated by Oleshnitzki, were formulated as follows: "For it is not meet that infidels should enjoy greater advantages than the worshipers of our Lord Christ, and slaves should have no right to occupy a better position than sons." The Varta Statutes of 1423 and the former canonical laws were declared in force again. Clericalism had scored a triumph.

This anti-Jewish tendency communicated itself to the people at large. In several towns the Jews were attacked. In 1463 detachments of Polish volunteers who were preparing for a crusade against the Turks passed through Lemberg and Cracow on their way to Hungary. The disorderly crowd, consisting of monks, students, peasants, and impoverished noblemen, threw itself on the Jews of Cracow on the third day of Easter,

[1] A semi-ecclesiastic, semi-military organization of German knights, which originated in Palestine during the Crusades, and was afterwards transferred to Europe to propagate Christianity on the eastern confines of Germany. The Order developed into a powerful state, which became a great menace to Poland.]

[2] In Polish *Nieszawa*, the meeting-place of the Diet of that year.]

looted their houses, and killed about thirty people. When Casimir IV. learned what had happened, he imposed a fine on the magistracy for having failed to forestall the riots. Similar disorders were taking place about the same time in Lemberg, Posen, and other cities.

As far as Casimir IV. was concerned, the clerical policy, artificially foisted upon him, did not alter his personal readiness to shield the Jews. But under his sons, the Polish King John Albrecht and the Lithuanian Grand Duke Alexander Yaghello, the anti-Jewish policy gained the upper hand. The former ratified, at the Piotrkov Diet of 1496, the Nyeshava Statute with its anti-Jewish restrictions. John Albrecht is also credited with the establishment of the first ghetto in Poland. In 1494 a large part of the Polish capital of Cracow was destroyed by fire, and the mob, taking advantage of the prevailing panic, plundered the property of the Jews. As a result, the Jews, who at that time were scattered over various parts of the city, were ordered by the King to move to Kazimiezh,[1] a suburb of Cracow, and to live there apart from the Christians. Kazimiezh became, in consequence, a wholly Jewish town, leading throughout the centuries a life of its own, and connected with the outside world by mere threads of economic relationship.

While the throne of Poland was occupied by John Albrecht, his brother Alexander ruled over Lithuania as grand duke. At first Alexander's attitude towards the Jews was rather favorable. In 1492 he complied with the petition of the Karaites of Troki, and confirmed the charter of Casimir IV., bestowing upon them the Magdeburg Law, and even supple-

[1 More exactly *Kazimierz*, the Polish form for Casimir (the Great), after whom the town was named.]

menting it by a few additional privileges. Various items of public revenue, especially the customs duties, were as theretofore let to the Jews. Alexander also paid the Jewish capitalists part of the money advanced by them to his father. In 1495, however, the Grand Duke suddenly issued a decree ordering the expulsion of all the Jews from Lithuania. It is not known whether this cruel action was due to the influence of the anti-Jewish clerical party, and was stimulated by the news of the expulsion of the Jews from Spain, or whether it was prompted by the financial dependence of the ruler on his Jewish creditors, or by the general desire to enrich himself at the expense of the exiles. As a matter of fact Alexander confiscated the immovable property of the expelled Jews in the districts of Grodno, Brest, Lutzk, and Troki, and a large part thereof was distributed by him among the local Christian residents. The banished Jews emigrated partly to the Crimea (Kaffa), but the majority settled, with the permission of King John Albrecht, in the neighboring Polish cities. However, when a few years later, after the death of his brother, Alexander accepted, in addition, the crown of Poland (1501), he allowed the Jews to return to Lithuania and settle in their former places of residence. On this occasion they received back, though not in all cases, the houses, estates, synagogues, and cemeteries previously owned by them (1503).

By the beginning of the fourteenth century Polish Jewry had become a big ecomonic and social factor with which the state was bound to reckon. It was now destined to become also an independent spiritual entity, having stood for four hundred years under the tutelage of the Jewish center in Germany. The further development of this new factor forms one of the most prominent features of the next period.

CHAPTER III

THE AUTONOMOUS CENTER IN POLAND AT ITS ZENITH (1501-1648)

1. Social and Economic Conditions

In the same age in which the Jewish refugees from Spain and Portugal were wending their steps towards the Turkish East, bands of Jewish emigrants, fleeing from the stuffy ghettos of Germany and Austria, could be seen wandering towards the Slavonian East, towards Poland and Lithuania, where, during the period of the Reformation, a large autonomous Diaspora center sprang into life. The transmigration of Jewish centers, which is so prominent a feature of the sixteenth century, found its expression in two parallel movements: the demolished or impoverished centers of Western Europe were transplanted to the countries of Eastern Europe on the one hand, and to the lands of contiguous Western Asia on the other. Yet the destinies of the two Eastern centers—Turkey and Poland—were not identical. The Sephardim of Turkey were approaching the end of their brilliant historic career, and were gradually lapsing into Asiatic stupor, while the Ashkenazim of Poland, with a supply of fresh strength and the promise of an original culture, were starting out on their broad historic development. The mission of the Sephardim was a memory of the past; that of the Ashkenazim was a hope for the future. After medieval Babylonia and Spain, no country presented so intense a concentration of Jewish energy and so vast a field for the development of a Jewish autonomous life as Poland in the sixteenth and the following centuries.[1]

[1] According to approximate computations, the number of Jews in Poland during that period (between 1501 and 1648) grew from 50,000 to 500,000.

The uninterrupted colonization of Slavonian lands by Jewish emigrants from Germany, which had been going on during the Middle Ages, prepared the soil for the historic process which converted Poland from a colony into a center of Judaism. The large Jewish population settled in the towns and villages of Poland and Lithuania formed, not a downtrodden caste, nor a homogeneous economic class, as in Germany, but an important social entity, unfolding its energy in many departments of social-economic life. It was not tied down to two exclusive occupations, money-lending and petty trade, but it participated in all branches of industrial endeavor, in production and manufacture, not excluding rural avocations, such as land tenure and farming. The men of wealth among the Jews farmed the tolls (transit and customs duties) and the excise (state taxes collected on wine [1] and other articles of consumption), and frequently attained to prominence as the financial agents of the kings. When, at a later date, the Jews were hampered in the business of tax-farming, their capital found a new outlet in the lease of crown and Shlakhta estates, with the right of "propination," [2] or liquor traffic, attached to it, as well as in working the salt mines, in timbering forests, and opening up the other resources of the soil. The big merchants were busy exporting agrarian products from Poland into Austria, Mol-

[1 "Wine" is used here, as it is in the original, to designate alcoholic drinks in general.]

[2 "Propination," in Polish, *propinacja* (pronounced *propinatzya*), from Latin and Greek *propino*, "to drink one's health," signifies in Polish law the right of distilling and selling spirituous liquors. This right was granted to the noble landowners by King John Albrecht in 1496, and became one of their most important sources of revenue. After the partition of Poland this right was confirmed for the former Polish territories by the Russian Government. The right of propination, exercised mostly by Jews on behalf of the nobles, proved a decisive factor in the economic and partly in the social life of Russo-Polish Jewry.]

davo-Wallachia, and Turkey. The lower classes engaged in retail trade, handicrafts, farming, vegetable-growing, gardening, and, in some places, particularly in Lithuania, even in corn-growing.

The economic activity of the Jews, entwined with the material life of the country by numerous threads, was bound to produce a similar variety of form also in their legal condition. Considering the peculiar caste structure of the Polish state and the relative political freedom enjoyed in that semi-constitutional country by the "governing classes"—the landed nobility, the clergy, and partly the burghers—the legal position of the Jews was of necessity determined by the conflict of political and class interests. Bridled by an oligarchic constitution, the royal power was bound to clash with the vast privileges of the landed magnates, the big Shlakhta. The latter, in turn, on the one hand fought the claims of the petty rural Shlakhta, and on the other resisted the advance of the Christian urban estates, the business men, and craftsmen, who were a powerful factor, owing to their municipal autonomy and their well-organized guilds. The fight was carried on in the Diets, municipalities, and law courts. Within this conflict of economic interests the clergy of the dominant Catholic Church pursued its own line of attack. Having been weakened during the Reformation, it now renewed its strength in consequence of the Catholic reaction and the arduous endeavors of the Jesuits.

These estates differed in their relation to the Jews, each in accordance with its own interests. Medieval ideas had already taken such deep root in the Polish people that, despite the constitutional character of the country, a humane and lawful attitude towards the Jews was out of the question. They

were appraised according to the advantages they could bestow upon this or that class, and since in many cases what was advantageous to one class was disadvantageous to another, a conflict of interests was unavoidable, with the result that the Jews were the objects of protection on the one side and the targets of persecution on the other.

The Jews of Poland were favored by two powers within the state, by royalty and in part by the big Shlakhta. They were opposed by two others, the clergy and the burghers. Aside from the interests of the exchequer, which was swelled by regular and irregular imposts upon the Jews, the kings derived personal benefits from their commercial activities. They valued the financial services of the Jewish tax-farmers, who paid large sums in advance for the lease of customs duties and state revenues or for the tenure of the royal domains. These contractors and tenants became, as a rule, financial agents of the kings, owing to their ability to advance large sums of money, and were incidentally in a position to exert their influence upon the court in the interest of their coreligionists. The high nobility in turn appreciated the usefulness of the Jewish farmers and tenants to their estates, which they themselves, with their aristocratic indifference and indolence, knew only how to mismanage. The protection which this class accorded the Jews, principally at the Diets controlled by them, was in exact proportion to the services rendered by the Jews as middlemen between them and the peasants. The magnates accordingly were entirely indifferent to the welfare of the rest of Jewry, the toiling masses of the Jewish population.

Uncompromising hostility to the Jews marked the attitude of the urban estates, the merchants and artisans of the burgher class, with a considerable sprinkling of German settlers, whose

influence was clearly noticeable. These organized tradesmen and handicraftsmen looked upon the Jews as their direct competitors. The magistracies, acting as the organs of municipal self-government, placed severe restrictions upon the Jews in the acquisition of real estate and in the pursuit of business and handicrafts, while the trade-unions occasionally set the riotous mobs at their heels. Still more resolute was the agitation of the Catholic clergy, which frequently succeeded in influencing legislation in the spirit of ecclesiastic intolerance.

The interaction of all these forces shaped the legal and social status of the Polish-Lithuanian Jews in the course of the sixteenth and in the beginning of the seventeenth century, at a time when Poland was passing through the zenith of her political prosperity. The vacillations and upheavals in the position of the Jews were conditioned by the shifting of forces in the direction of the one or the other above-mentioned factors in the course of history.

2. The Liberal Régime of Sigismund I.

The opening years of the sixteenth century found the Jews fully restored to the rights of which their enemies had attempted to rob them at the end of the preceding century. Alexander Yaghello, the very same Lithuanian Grand Duke who, from some obscure motive, had banished the Jews from his dominions in 1495,[1] found it necessary to call them back as soon as he ascended the throne of Poland, after the demise of his brother. In 1503, "having consulted the lords of the realm," King Alexander announced his decision to the effect that the Jews exiled from Grodno and other cities of Lithuania should be

[1] See p. 65.

allowed to return and settle "near the castles and in the localities in which they had lived formerly," and should be given back the houses, synagogues, cemeteries, farms, and fields, which had previously been in their possession. The reasons for this change of front may easily be traced to the vast economic importance of the Jews of the Polish Kingdom, which had shortly before, in 1501, entered into a closer union with Lithuania, and to the invaluable services of the Jewish tax-farmers, on whom the royal budget to a large extent depended.

One of these "royal financiers" was the wealthy Yosko,[1] who farmed the customs and tolls in nearly half of Poland. To stimulate the endeavors of his financier, King Alexander exempted Yosko and his employees from the authority of the local administration, placing him, after the manner of court dignitaries, under the jurisdiction of the royal court. But, taken as a whole, the King was even now far from friendly to the Jews. In 1505 he permitted the inclusion of the ancient charter of Boleslav of Kalish, the *magna charta* of Jewish liberties, in the code of organic Polish laws, which was then being edited by the chancellor John Laski. But he was careful to point out that he did not thereby intend to ratify Boleslav's charter anew, but allowed its reproduction "for the purpose of safeguarding [the Christian population] against the Jews" (*ad cautelam defensionis contra Judaeos*).

Alexander's successor, Sigismund I. Yaghello (1506-1548), King of Poland and Grand Duke of Lithuania, favored a more liberal policy towards his Jewish subjects. Though a staunch Catholic, Sigismund was free from the spirit of anti-Jewish clericalism, and he endeavored to the best of his ability to live

[1 Popular Polish form of the Jewish name Joseph.]

up to the principle proclaimed by him, that "equal justice should be meted out to the rich and mighty lords and to the meanest pauper." This lofty principle, so little compatible with the policy of class discrimination, could, however inadequately, be applied only there where the power of royalty was not handicapped by the mighty Shlakhta and the other estates. The only part of the Polish Empire where such a condition still existed in the time of Sigismund I. was Lithuania, the patrimony of the Yaghellos. There the royal, or rather the grand ducal, authority was more extensive and its form of manifestation more patriarchal than in the provinces of the Crown, or Poland proper. By intrusting a large part of the public tax contracts and land leases to the Jewish capitalists, the King could feel easy in his mind as to the integrity of his budget. The general contractor of the customs and other state revenues in Lithuania, Michael Yosefovich (son of Joseph), a Jew from Brest-Litovsk, exercised occasionally also the functions of grand ducal treasurer, being commissioned to pay out of the collected imposts the salaries of the local officials as well as the debts of his royal master.

Prompted by the desire of rewarding the services of his financier and at the same time putting the communal affairs of his Jewish subjects in better order, Sigismund appointed Michael Yosefovich to serve as the elder, or, to use the official term, the "senior," of all Lithuanian Jews (1514). The "senior" was invested with far-reaching powers: he had the right of conferring directly with the king in all important Jewish affairs, dispensing justice to his coreligionists in accordance with their own laws, and collecting from them the taxes imposed by the state. He was to be assisted by a rabbi or "doctor," an expert in Jewish law. Whether the Lithuanian

Jews acknowledged Michael Yosefovich as their supreme authority is open to doubt. The wealthy contractor, whom the will of the King had placed at the head of the Jews, could not in point of fact preside over their autonomous organization and their judiciary and rabbinate, since what was required was not officials, but men with special knowledge and training. All Michael could do was to act as the official go-between, representing the Jewish communities before the King and defending their rights and privileges as well as their commercial and fiscal interests. In any event Michael was more useful to his coreligionists than his brother Abraham Yosefovich, who, likewise a tax-farmer, sacrificed his Judaism for the sake of a successful career. King Alexander conferred upon Abraham the rank of Starosta of Smolensk, while Sigismund raised him to the exalted position of Chancellor of the Lithuanian Exchequer. Abraham and his offspring were soon lost in the ranks of the higher Polish nobility.

In agricultural Lithuania with its patriarchal conditions of life the antagonism between the classes was in its infancy, and as a result the right of the Jews to freedom of transit and occupation was but rarely contested. They lived in the towns and villages, and were not yet so sharply marked off, in language and mode of life, from the Christian population as they became afterwards. The Jewish communities of Brest, Grodno, Pinsk, and Troki, the last consisting principally of Karaites, who had a municipality of their own, were important Jewish centers in the Duchy, and enjoyed considerable autonomy. The rabbi of Brest, Mendel Frank, received from the King extensive administrative and judicial powers, including the right of imposing the *herem* and other penalties upon the recalcitrant members of the community (1531).

In the large cities of Poland proper the position of the Jews was not nearly so favorable. Here commercial life had attained a higher stage of development than in Lithuania, and in many lines of business the Jews competed with the Christians. Taking advantage of the autonomy granted to the estates in the shape of the Magdeburg Law, the Christian business men and handicraftsmen, represented by their magistracies and trade-unions, were constantly endeavoring to restrict their rivals in their commercial pursuits. This was particularly the case in Posen, Cracow, and Lemberg, the leading centers respectively of the three provinces of Great Poland, Little Poland, and Red Russia (Galicia). In Posen the Jews were hampered by the burgomaster and the aldermen in carrying on their business or in displaying their goods in stores outside the Jewish quarter. When the Jews protested to the King, he warned the authorities of Posen not to subject their rivals to any hardships or to violate their privileges (1517). The Christian merchants retorted that the Jews occupied the best shops, not only in the center of the town, but also on the market-place, where formerly only "prominent Christian merchants, both native and foreign [German], had been doing business," and where, in view of the concentration of large masses of Christians, the presence of Jews might lead to "great temptations," and even to seduction from the path of the "true faith." The reference to religion, used as a cloak for commercial greed, did not fail to impress the devout Sigismund, and he forbade the Jews to keep stores on the market-place (1520). The professors of Christian love in Posen similarly forbade their Jewish fellow-citizens to buy foodstuffs and other articles in the market until the Christian residents had completed their purchases. A little later the

King, in consequence of the influx of Jews into Posen, gave orders that no new Jewish settlers be admitted into the city, and that no houses owned by Christians be sold to them, without the permission of the Kahal elders. The Jews were to be restricted to definite quarters and to be denied the right of building their houses among those belonging to Christians (1523).

The same was the case in Lemberg. Yielding to the complaints of the magistracy about the competition of the Jews, the King restricted their freedom of commerce in several particulars, barring them from selling cloth in the whole of [Red] Russia and Podolia, except at the fairs, and limiting their sale of horned cattle to two thousand head per year (1515). The Piotrkov Diet of 1521 passed a law confining the trade of the Lemberg Jews to four articles, wax, furs, cloth, and horned cattle. These restrictions were the result of the widespread agitation which the pious Christian merchants had been conducting against their business rivals of other faiths. The magistracies of the three cities of Posen, Lemberg, and Cracow, attempted to form a coalition for the purpose of carrying on a joint economic fight against Jewry. In Cracow and its suburb Kazimiezh [1] the Jews had to endure even harsher restrictions in business than in the other two metropolitan centers of Poland.

Competition in business occasionally resulted in physical violence and street riots. Anti-Jewish attacks were taking place in Posen and in Brest-Kuyavsk,[2] and outbreaks were anticipated in Cracow. Representatives of the last Jewish community made their apprehensions known to the King.

[1 See p. 64, n. 1.]

[2 *I. e.* Brest of Kuyavia, a former Polish province on the left bank of the Vistula. It is to be distinguished from the well-known Brest-Litovsk, Brest of Lithuania.]

Sigismund issued a decree in 1530 denouncing in vehement terms the insolence of the rioters, who were hoping for immunity, and rigorously forbidding all acts of violence, under penalty of death and confiscation of property. To allay the fears of the Jews he ordered the burghers of Cracow to deposit the sum of ten thousand gulden with the exchequer as security for the maintenance of peace and safety in the city. The burgomasters, aldermen, and trade-unions were warned by the King that in all their differences with Jews "they should proceed in a legal manner, and not by violence, by resorting to force of arms and inciting disorders."

The King was powerless, however, to shield the Jews against other unpleasant manifestations of the Polish class *régime,* such as the extortions of the officials. The highest dignitaries of the court no less than the local administration were ever ready to fish in the troubled waters of the conflict of classes. The second wife of Sigismund, Queen Bona Sforza, an avaricious Italian princess, sold the offices of the state to the highest bidder, while the courtiers and voyevodas were just as venal on their own behalf. The queen's favorite, Peter Kmita, Voyevoda of Cracow and Marshal of the Crown, managed to accept bribes simultaneously from the Jewish and the Christian merchants, who lodged complaints against each other, by promising both sides to defend their interests before the Diet or the King.

During the fourth decade of the sixteenth century the Jewish question became the object of violent disputes at the Polish Diets, the deputies of several regions having received anti-Jewish instructions.[1] Now the controlling factor in the

[1] The parliamentary order of Poland was somewhat complicated. Each region or *voyevodstvo* (see above, p. 46, n. 1), of which there were about sixty in Poland, had its own local assembly, or *sejmik*

Polish Diets was the Shlakhta, whose attitude towards the Jews was not uniform. The big Shlakhta, the magnates, the owners of huge estates and whole towns, were favorably disposed towards the Jews who lived in their domains, and added to their wealth as farmers and tax-payers. But the petty Shlakhta, the struggling squires, who were looking for places in the civil and state service, arrayed themselves on the side of the burgher class, which had always been hostile to the Jews. This petty Shlakhta bitterly resented the fact that the royal revenues had been turned over to Jewish contractors, who, as collectors of customs and taxes, attained to official dignity, and gradually forced their way into the ranks of the nobility. The income from the collection of the revenues and the influence connected with it this Shlakhta regarded as its inalienable prerogative. The clergy again saw in this enhancement of Jewish influence a serious menace to the Catholic faith, while the urban estates had a vital interest in limiting the commercial rights of the Jews.

At the Piotrkov Diet of 1538 the anti-Jewish agitation was carried on with considerable success. It resulted in the adoption of a statute, or a "constitution," containing a separate Jewish section, in which the old canonical laws cropped out:

We hereby prescribe and decree—it is stated in that section—that from now on and for all future time all those who manage

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(pronounced *saymik*), *i. e.* little Diet, or Dietine. Deputies of these Dietines met at the respective *sejms* (pronounced *saym*), or Diets, of one of the three large provinces of Poland: Great Poland, Little Poland, and Red Russia. The national *sejm*, representing the whole of Poland, came into being towards the end of the fifteenth century. Beginning with 1573 it met regularly every two years for six weeks in Warsaw or in Grodno. Before the convocation of this national all-Polish Parliament, all local Dietines assembled on one and the same day to give instructions to the deputies elected to it.]

our revenues must unconditionally be members of the landed nobility, and persons professing the Christian faith. . . . We ordain for inviolable observance that no Jews shall be intrusted [in the capacity of contractors] with the collection of revenues of any kind. For it is unworthy and contrary to divine right that persons of this description should be admitted to any kind of honors or to the discharge of public functions among Christian people.

It is further decreed that the Jews have no right of unrestricted commerce, and can do no business in any locality, except with the special permission of the king or by agreement with the magistracies; in the villages they are forbidden to trade altogether. Pawnbroking and money-lending on the part of Jews are hedged about by a series of oppressive regulations. The capstone of the Piotrkov "constitution" is the following clause:

Whereas the Jews, disregarding the ancient regulations, have thrown off the marks by which they were distinguishable from the Christians, and have arrogated to themselves a form of dress which closely resembles that of the Christians, so that it is impossible to recognize them, be it resolved for permanent observance: that the Jews of our realm, all and sundry, in whatever place they happen to be found, shall wear special marks, to wit, a barret, or hat, or some other headgear of yellow cloth. Exception is to be made in favor of travelers, who, while on the road, shall be permitted to discard or conceal marks of this kind.

The fine for violating this regulation is fixed at one gulden.

The only articles of the "constitution" of 1538 which had serious consequences for the Jews of the Crown—the Jews of Lithuania were not affected by these regulations—were those barring them from tax-farming and subjecting them to commercial restrictions. The canonical law concerning a distinctive headgear was more in the nature of a demonstration than a serious legal enactment, since compliance with

it, owing to the high state of culture among the Polish Jews and their important rôle in the economic life of the country, was a matter of impossibility. Behind this regulation lurks the hand of the Catholic clergy, which was alarmed at that time by the initial successes of the Reformation in Poland, and was in fear that the influence of Judaism might enhance the progress of the heresy. The excited imagination of the clerical fanatics perceived signs of a "Jewish propaganda" in the rationalistic doctrine of "Anti-Trinitarianism," which was then making its appearance, denying the dogma of the Holy Trinity. The specter of a rising sect of "Judaizers" haunted the guardians of the Church. One occurrence in particular engendered tremendous excitement among the inhabitants of Cracow. A Catholic woman of that city, Catherine Zaleshovska by name, the wife of an alderman, and four score years of age, was convicted of denying the fundamental dogmas of Christianity and adhering secretly to Jewish doctrines. The Bishop of Cracow, Peter Gamrat, having made futile endeavors to bring Catherine back into the fold of the Church, condemned her to death. The unfortunate woman was burned at the stake on the market-place of Cracow in 1539.

The following description of this event was penned by an eye-witness, the Polish writer Lucas Gurnitzki:

> The priest Gamrat, Bishop of Cracow, assembled all canons and collegiates in order to examine her [Catherine Zaleshovska, who had been accused of "Judaizing"] as to her principles of faith. When, in accordance with our creed, she was asked whether she believed in Almighty God, the Creator of heaven and earth, she replied: "I believe in God, who created all that we see and do not see, who cannot be comprehended by the human reason, who poureth forth His bounty over man and over all things in the universe." "Do you believe in His only begotten Son, Jesus Christ,

who was conceived by the Holy Ghost?" she was asked. She answered: "The Lord God has neither wife nor son, nor does He need them. For sons are needed by those who die, but God is eternal, and since He was not born, it is impossible that He should die. It is we whom He considers His sons, and His sons are those who walk in His paths." Here the collegiates shouted: "Thou utterest evil, thou miserable one! Bethink thyself! Surely there are prophecies that the Lord would send His Son into the world to be crucified for our sins, in order that we, having been disobedient from the days of our ancestor Adam, may be reconciled to God the Father?" A great deal more was said by the learned men to the apostate woman, but the more they spoke, the more stubborn was she in her contention that God was not and could not be born as a human being. When it was found impossible to detach her from her Jewish beliefs, it was decided to convict her of blasphemy. She was taken to the city jail, and a few days later she was burned. She went to her death without the slightest fear.

The well-known contemporary chronicler Bielski expresses himself similarly: "She went to her death as if it were a wedding."

During the same time there were rumors afloat to the effect that in various places in Poland, particularly in the province of Cracow, many Christians were embracing Judaism, and, after undergoing circumcision, were fleeing for greater safety to Lithuania, where they were sheltered by the local Jews. When the rumor reached the King, he dispatched two commissioners to Lithuania to direct a strict investigation. The officers of the King proceeded with excessive ardor; they raided Jewish homes, and stopped travelers on the road, making arrests and holding cross-examinations. The inquiry failed to reveal the presence of Judaizing sectarians in Lithuania, though it caused the Jews considerable trouble and alarm (1539).

Scarcely had this investigation been closed when the Lithuanian Jews were faced by another charge. Many of them were said to be on the point of leaving the country, and, acting with the knowledge and co-operation of the Sultan, intended to emigrate to Turkey, accompanied by the Christians who had been converted to Judaism. It was even rumored that the Jews had already succeeded in dispatching a party of circumcised Christian children and adults across the Moldavian frontier. The King gave orders for a new investigation, which was marked, like the preceding one, by acts of lawlessness and violence. The Jews were in fear that the King might lend an ear to these accusations and withdraw his protection from them. Accordingly Jews of Brest, Grodno, and other Lithuanian cities, hastened to send a deputation to King Sigismund, which solemnly assured him that all the rumors and accusations concerning them were mere slander, that the Lithuanian Jews were faithfully devoted to their country, that they had no intention to emigrate to Turkey, and, finally, that they had never tried to convert Christians to their faith. At the same time they made complaints about the insults and brutalities which had been inflicted upon them, pointing to the detrimental effect of the investigation on the trade of the country. The assertions of the deputation were borne out by the official inquiry, and Sigismund, returning his favor to the Jews, cleared them of all suspicion, and promised henceforward not to trouble them on wholesale charges unsupported by evidence. This pledge was embodied in a special charter, a sort of *habeas corpus,* granted by the King to the Jews of Lithuania in 1540.

All this, however, did not discourage the Catholic clergy, who, under the leadership of Bishop Gamrat, continued their

agitation against the hated Jews. They incited public opinion against them by means of slanderous books, written in medieval style (*De stupendis erroribus Judaeorum,* 1541; *De sanctis interfectis a Judaeis,* 1543). The Church Synod of 1542 assembled in Piotrkov issued the following "constitution":

The Synod, taking into consideration the many dangers that confront the Christians and the Church from the large number of Jews who, having been driven from the neighboring countries, have been admitted into Poland, and unscrupulously combine holiness with ungodliness, has passed the following resolution: Lest the great concentration of Jews in the country lead, as must be apprehended, to even worse consequences, his Majesty the King be petitioned as follows: 1. That in the diocese of Gnesen and particularly in the city of Cracow [1] the number of Jews be reduced to a fixed norm, such as the district set aside for them can accommodate. 2. That in all other places where the Jews did not reside in former times they be denied the right of settlement, and be forbidden to buy houses from Christians, those already bought to be returned to their former owners. 3. That the new synagogues, even those erected by them in the city of Cracow, be ordered to be demolished. 4. Whereas the Church suffers the Jews for the sole purpose of recalling to our minds the tortures of our Saviour, their number shall in no circumstances increase. Moreover, according to the regulations of the holy canons, they shall be permitted only to repair their old synagogues but not erect new ones.

This is followed by seven more clauses containing various restrictions. The Jews are forbidden to keep Christian servants in their houses, particularly nursery-maids, to act as stewards of estates belonging to nobles ("lest those who ought to be the slaves of Christians should thereby acquire dominion and jurisdiction over them"), to work and to trade on Catholic holidays, and to offer their goods publicly for sale even on week-

[1 Gnesen as seat of the Primate; Cracow as capital.]

days. It goes without saying that the rule prescribing a distinguishing Jewish dress is not neglected.

This whole anti-Jewish fabric of laws, which the members of the Synod decided to submit to the King, failed to receive legal sanction. Still the Catholic clergy was for a long time guided by it in its policy towards the Jews, a policy, needless to say, of intolerance and gross prejudices. These restrictions were the *pia desideria* of priests and monks, some of which were realized during the subsequent Catholic reaction.

3. Liberalism and Reaction in the Reigns of Sigismund Augustus and Stephen Batory

Sigismund I.'s successor, the cultured and to some extent liberal-minded Sigismund II. Augustus (1548-1572), followed in his relations with the Jews the same principles of toleration and non-interference by which he was generally guided in his attitude towards the non-Christian and non-Catholic citizens of Poland. In the first year of his reign Sigismund II., complying with the request of the Jews of Great Poland, ratified, at the general Polish Diet held at Piotrkov, the old liberal statute of Casimir IV. In the preamble of this enactment the King declares that he confirms the rights and privileges of the Jews on the same grounds as the special privileges of the other estates, in other words, by virtue of his oath to uphold the constitution. Sigismund Augustus considerably amplified and solidified the self-government of the Jewish communities. He bestowed large administrative and judicial powers upon the rabbis and Kahal elders, sanctioning the application of "Jewish law" (*i. e.* of Biblical and Talmudical law) in civil and partly even criminal cases between Jews (1551). In the general voyevoda courts, in which cases between Jews and

Christians were tried, the presence of Jewish "seniors," *i. e.* of duly elected Kahal elders, was required (1556). This liability of the Jews to the royal or voyevoda courts had long constituted one of their important privileges, since it exempted them from the municipal, or magistrates' courts, which were just as hostile to them as the magistracies themselves.

This prerogative—the guarantee of greater impartiality on the part of the royal court—was limited to the Jews residing in the royal cities and villages, and did not extend to those living on the estates of the nobles or in the townships owned by them. Sigismund I. had decreed that "the nobles having Jews in their towns and villages may enjoy all the advantages to be derived from them, but must also try their cases. For we [the King], not deriving any advantages from such Jews, are not obliged to secure justice for them" (1539). Sigismund Augustus now enacted similarly that the Jews living on hereditary Shlakhta estates should be liable to the jurisdiction of the "hereditary owner," not to that of the royal representatives, the voyevoda and sub-voyevoda. As for the other royal privileges, they were extended to the Jews of this category only on condition of their paying the special Jewish head-tax to the King (1549). The split between royalty and Shlakhta, which became conspicuous in the reign of Sigismund Augustus, had already begun to undermine the system of royal patronage, more and more weakened as time went on.

The relations between the Jews and the "third estate," the burghers, did not improve in the reign of Sigismund Augustus, but they assumed a more definite shape. The two competing agencies, the magistracies and the Kahals, regulated their mutual relations by means of compacts and agreements. In

some cities, such as Cracow and Posen, these compacts were designed to safeguard the boundaries of the ghetto, outside of which the Jews had no right to live; in Posen the Jews were even forbidden to increase the number of Jewish houses over and above a fixed norm (49), with the result that they were obliged to build tall houses, with several stories. In other cities, among which was included the city of Warsaw,[1] the magistracies managed to obtain the so-called privilege *de non tolerandis Judaeis, i. e.* the right of either not admitting the Jews to settle anew, and confining those already settled to special sections of the city, away from the principal streets, or keeping the Jews away from the city altogether, allowing only the merchants to come on business and stay there for a few days. However, in the majority of Polish cities the protection of the King secured for the Jews equal rights with the other townspeople. For, as one of the royal edicts puts it, "inasmuch as the Jews carry all burdens in the same way as the burghers, their positions must be alike in everything, except in religion and jurisdiction." In some places the King even went so far as to forbid the holding of the weekly market-day on Saturday, to safeguard the commercial interests of the Jews, who refused to do business on their day of rest.

With all the estates of Poland the Jews managed reasonably to agree save only with the Catholic clergy. This implacable foe of Judaism doubled his efforts as soon as the signal from Rome was given to start a reaction against the growing heresy of Protestantism and to combat all other forms of non-Catholic

[1 Warsaw was originally the capital of the independent Principality of Mazovia. After the incorporation of Mazovia into the Polish Empire, in 1526, Warsaw emerged from its obscurity and in the latter part of the sixteenth century became the capital of united Poland and Lithuania, taking the place of Cracow and Vilna.]

belief. The policy of Paul IV., the inquisitor on the throne of St. Peter, found an echo in Poland. The Papal Nuncio Lippomano, having arrived from Rome, conceived the idea of firing the religious zeal of the Catholics by one of those bloody spectacles which the inquisitorial Church was wont to arrange occasionally *ad maiorem Dei gloriam*. A rumor was set afloat that a poor woman in Sokhachev, Dorothy Lazhentzka by name, had sold to the Jews of the town the holy wafer received by her during communion, and that the wafer was stabbed by the "infidels" until it began to bleed. By order of the Bishop of Khelm three Jews who were charged with this sacrilege and their accomplice Dorothy Lazhentzka were thrown into prison, put on the rack, and finally sentenced to death. On learning of these happenings, the King sent orders to the Starosta of Sokhachev to stop the execution of the death sentence, but the clergy hastened to carry out the verdict,[1] and the alleged blasphemers were burned at the stake (1556). Before their death the martyred Jews made the following declaration:

> We have never stabbed the host, because we do not believe that the host is the Divine body (*nos enim nequaquam credimus hostiae inesse Dei corpus*), knowing that God has no body nor blood. We believe, as did our forefathers, that the Messiah is not God, but His messenger. We also know from experience that there can be no blood in flour.

These protestations of a monotheistic faith were silenced by the executioner, who stopped "the mouths of the criminals with burning torches."

Sigismund Augustus was shocked by these revolting proceedings, which had been engineered by the Nuncio Lippomano. He

[1] According to another version, they forged the contents of the royal warrant.

was quick to grasp that at the bottom of the absurd rumor concerning the "wounded" host lay a "pious fraud," the desire to demonstrate the truth of the Eucharist dogma in its Catholic formulation (the bread of communion as the actual body of Christ), which was rejected by the Calvinists and the extreme wing of the Reformation. "I am shocked by this hideous villainy," the King exclaimed in a fit of religious skepticism, "nor am I sufficiently devoid of common sense to believe that there could be any blood in the host." Lippomano's conduct aroused in particular the indignation of the Polish Protestants, who on dogmatic grounds could not give credence to the medieval fable concerning miracle-working hosts. All this did not prevent the enemies of the Jews from exploiting the Sokhachev case in the interest of an anti-Jewish agitation. It was in all likelihood due to this agitation that the anti-Jewish "constitution" adopted by the Diet of 1538 was, at the insistence of numerous deputies, confirmed by the Diets of 1562 and 1565.

The articles of this anti-Semitic "constitution" were also embodied in the "Lithuanian Statute" promulgated in 1566. This "statute" interdicts the Jews from wearing the same style of clothes as the Christians and altogether from dressing smartly, from owning serfs or keeping domestics of the Christian faith, and from holding office among Christians, the last two restrictions being extended to the Tatars and other "infidels." The medieval libels found a favorable soil even in Lithuania. In 1564 a Jew was executed in Bielsk, on the charge of having killed a Christian girl, though the unfortunate victim loudly proclaimed his innocence from the steps of the scaffold. Nor were attempts wanting to manufacture similar trials in other Lithuanian localities. To put an end to

the agitation fostered by fanatics and obscurantists, the King issued two decrees, in 1564 and 1566, in which the local authorities were strictly enjoined not to institute proceedings against Jews on the charge of ritual murder or desecration of hosts. Sigismund Augustus declares that experience and papal pronouncements had proved the groundlessness of such charges; that, in accordance with ancient Jewish privileges, all such charges must be substantiated by the testimony of four Christian and three Jewish witnesses, and that, finally, the jurisdiction in all such cases belongs to the King himself and his Council at the General Diet.

Soon afterwards, in 1569, the agreement known as the "Union of Lublin" was concluded between Lithuania and the Crown, or Poland proper, providing for closer administrative and legislative co-operation between the two countries. This resulted in the co-ordination of the constitutional legislation for both parts of the "Republic[1]," which, in turn, affected injuriously the status of the Jews of Lithuania. The latter country was gradually drawn into the general current of Polish politics, and hence drifted away from the patriarchal order of things, which had built up the prosperity of the Jews in the days of Vitovt.

Sigismund Augustus died in 1572, three years after the conclusion of the Union of Lublin. The Jews had good reason to mourn the loss of this King, who had been their principal protector. His death marks the extinction of the Yaghello

[1 With the gradual weakening of the royal power, which, after the extinction of the Yaghello dynasty, in 1572, was transformed into an elective office, the favorite designation for the Polish Empire came to be *Rzecz* (pronounced *Zhech*) *Pospolita*, a literal rendering of the Latin *Res Publica*. The term comprises Poland as well as Lithuania, which, in 1569, had been united in one Empire.]

dynasty, and a new chapter begins in the history of Poland, "the elective period," when the kings are chosen by vote. After a protracted interregnum, the Shlakhta elected the French prince Henry of Valois (1574), one of the instigators of the Massacre of St. Bartholomew. This election greatly alarmed the Jews and the liberal-minded Poles, who anticipated a recrudescence of clericalism; but their fears were soon allayed. After a few months' stay in Poland, Henry fled to his native land to accept the French crown, on the death of his brother Charles IX. The throne of Poland fell, by popular vote, to Stephen Batory (1576-1586), the valorous and enlightened Hungarian duke. His brief reign, which marks the end of the "golden age" of Polish history, was signalized by several acts of justice in relation to the Jews. In 1576 Stephen Batory issued two edicts, strictly forbidding the impeachment of Jews on the charge of ritual murder or sacrilege, in view of the recognized falsity of these accusations[1] and the popular disturbances accompanying them.

Stephen Batory even went one step further in pursuing the principle, that the Jews, because of their usefulness to the country on account of their commercial activity, had a claim to the same treatment as the corresponding Christian estates. In ratifying the old charters, he added a number of privileges, bearing in particular on the freedom of commerce. The King directed the voyevodas to protect the legitimate interests of the Jews against the encroachments of the magistracies and trade-unions, who hampered them in every possible manner in their pursuit of trades and handicrafts.

Stephen Batory intervened on behalf of the Jews of Posen, who had long been oppressed by a hostile magistracy. Setting

[1] They are referred to in his edicts as *calumniae*.

aside the draconian regulations of the city fathers, the commercial rivals of the Jews, he permitted the latter to hire business premises in all parts of the city and ply their trade even on the days of the Christian festivals. Anticipating the possibility of retaliatory measures on the part of the townspeople, the King impressed upon the magistracy the duty of safeguarding the inviolability of life and property in the city, at the risk of incurring the severest penalties in the case of neglect (1577). All these warnings, however, were powerless to avert a catastrophe. Three months after the promulgation of the royal edict the Jewish quarter in Posen was attacked by the mob, which looted Jewish property and killed a number of Jews. Ostensibly the riot was started because of the refusal of the Jews to allow one of their coreligionists, who was on the point of accepting baptism, to meet his wife. In reality this was nothing but a pretext. The attack had been prepared by the Christian merchants, who could not reconcile themselves to the extension of the commercial rights of their competitors. Batory imposed a heavy fine on the Posen magistracy for having failed to stop the disorders. Only when the members of the magistracy declared under oath that they had been entirely ignorant of the plot was the fine revoked.

As far as the Jews are concerned, Stephen Batory remained loyal to the traditions of a more liberal age, at a time when the Polish populace was already inoculated with the ideas of the "Catholic reaction" imported from Western Europe—ideas which in other respects the King himself was unable to resist. It was during his reign that the Jesuits, Peter Skarga and others, made their appearance as an active, organized body. Batory extended his patronage to them, and intrusted them with the management of the academy established by him

at Vilna. Was it possible for the King to foresee all the evil, darkness, and intolerance which these Jesuit schools would spread all over Poland? Could it have occurred to him that in these seats of learning, which soon monopolized the education of the ruling as well as the middle classes, one of the chief subjects of instruction would be a systematic course in Jew-baiting?

4. Shlakhta and Royalty in the Reigns of Sigismund III. and Vladislav IV.

The results of the upheaval which accompanied the extinction of the Yaghello dynasty assumed definite shape under the first two kings of the Swedish Vasa dynasty, Sigismund III. (1588-1632) and Vladislav IV. (1632-1648). The elective character of royalty made the latter dependent on the Shlakhta, which practically ruled the country, subordinating parliamentary legislation to the aristocratic and agricultural interests of their estate, and almost monopolizing the posts of voyevodas, starostas, and other important officials. At the same time the activity of the Jesuits strengthened the influence of clericalism in all departments of life. To eradicate Protestantism, to oppress the Greek Orthodox "peasant Church," and to reduce the Jews to the level of an ostracized caste of outlaws—such was the program of the Catholic reaction in Poland.

To attain these ends draconian measures were adopted against the Evangelists and Arians.[1] The members of the Greek Ortho-

[1 The Arian heresy, as modified and preached by Faustus Socinus (1539-1604), an Italian who settled in Poland, became a powerful factor in the Polish intellectual life of that period. Because of its liberal tendency, this doctrine appealed in particular to the educated classes, and its adherents, called Socinians, were largely recruited from the ranks of the Shlakhta. Under Sigismund III. a strong reaction set in, culminating in the law passed by the Diet of 1658, according to which all "Arians" were to leave the country within two years.]

dox Church were forced against their will into a union with the Catholics, and the rights of the "dissidents," or non-conformists, were constantly curtailed. The Jesuits, who managed to obtain control over the education of the growing generation, inoculated the Polish people with the virus of clericalism. The less the zealots of the Church had reason to expect the conversion of the Jews, the more did they despise and humiliate them. And if they did not altogether succeed in restoring the medieval order of things, it was no doubt due to the fact that the structure of the Polish state, with its irrepressible conflict of class interests, did not allow any kind of system to take firm root. "Poland subsists on disorders," was the boast of the political leaders of the age. The "golden liberty" of the Shlakhta degenerated more and more. It became a weapon in the hands of the higher classes to oppress the middle and the lower classes. It led to anarchy, it undermined the authority of the Diet, in which a single member could impose his veto on the decision of the whole assembly (the so-called *liberum veto*), and resulted in endless dissensions between the estates. On the other hand, one must not forget that, while this division of power was disastrous for Poland, the absolute concentration of power after the pattern of Western Europe, in the circumstances then prevailing, might have proved even more disastrous. Under a system of monarchic absolutism, Poland might have become, during the period of the Catholic reaction, another Spain of Philip II. Disorder and class strife saved the Polish people from the "order" of the Inquisition and the consistency of autocratic hangmen.

The championship of Jewish interests passed by degrees from the hands of royalty into those of the wealthy parliamentary

Shlakhta. Though more and more permeated by clerical tendencies, the fruit of Jesuit schooling, the nobility in most cases held its protecting hand over the Jews, to whom it was tied by the community of economic interests. The Jewish tax-collector in the towns and townlets, which were privately owned by the nobles, the Jewish *arendar*[1] in the village, who procured an income for the *pan*[2] from dairying, milling, distilling, liquor-selling and other enterprises—they were indispensable to the easy-going magnate, who was wont to let his estates take care of themselves, and while away his time in the capital, at the court, in merry amusements, or at the tumultuous sessions of the national and provincial assemblies, where politics were looked upon as a form of entertainment rather than a serious pursuit. This Polish aristocracy put a check on the anti-Semitic endeavors of the clergy, and confined the oppression of the Jews within certain limits. Even the devout Sigismund III., who was subject to Jesuit influence, continued the traditional rôle of Jewish protector. In 1588, shortly after his accession to the throne, he confirmed, at the request of the Jews, their right of trading in the cities, though not without certain restrictions which the demands of the Christian merchants had forced upon him.

Nevertheless the economic struggle in the cities continues with ever-increasing fury, manifesting itself more and more in the shape of malign religious fanaticism. In many cities the municipalities arrogate to themselves judicial authority

[1 *Arendar*, also *arendator*, from medieval Latin *arrendare*, "to rent," signifies in Polish and Russian a lessee, originally of a farm, subsequently of the tavern and, as is seen in the text, other sources of revenue on the estate. These arendars being mostly Jews, the name, abbreviated in Yiddish to *randar*, came practically to mean "village Jew."]

[2 Literally, *lord:* the lord of the manor, noble landowner.]

over the Jews—the authority of the wolves over the sheep—contrary to the fundamental Polish law, which places all litigation between Jews and Christians under the jurisdiction of the royal officials, the voyevodas and starostas. The king, appealed to by the injured, has frequent occasion to remind the magistracies that the Jews are not to be judged by the Magdeburg Law, but by common Polish law, in addition to their own rabbinical courts for internal disputes. A pronouncement of this nature was issued, among others, by King Sigismund III., when the Jews of Brest appealed to him against the local municipality (1592). Their appeal was supported by the head of the Jewish community, Saul Yudich (son of Judah), contractor of customs and other state revenues in Lithuania, who wielded considerable influence at the Polish court. He bore the title of "servant of the king," and was frequently in a position to render important services to his coreligionists.[1] But where the Jewish masses were not fortunate enough to possess such powerful advocates in the persons of the big tax-farmers and "servants of the king," their legitimate interests were frequently trampled upon. The burghers of Vilna, in their desire to dislodge their Jewish competitors from the city, did not stop at open violence. They demolished the synagogue, and sacked the Jewish residences in the houses owned by the Shlakhta (1592). In Kiev, where the Jews had been settled in the Old Russian period,[2] the

[1] There is reason to believe that he is the hero of the legendary story according to which an influential Polish Jew by the name of Saul Wahl, a favorite of Prince Radziwill, was, during an interregnum, proclaimed Polish king by the Shlakhta, and reigned for one night.

[2] See pp. 29 *et seq.* Kiev was captured by the Lithuanians in 1320, and remained, through the union of Lithuania and Poland, a part of the Polish Empire until 1654, when, together with the province of Little Russia, it was ceded to Muscovy.]

burghers were endeavoring to secure from the King the privilege *de non tolerandis Judaeis* (1619).

The hostility of the burgher class, which was made up of Germans to a considerable extent, manifested itself with particular intensity in the old hotbed of anti-Semitism, in Posen. Attacks on the Jewish quarter on the part of the street mob and "lawful" persecutions on the part of the magistracy and trade-unions were a regular feature in the life of that city. In the case of several trades, as, for instance, in the needle trade, the Jewish artisans were restricted to Jewish customers. In 1618 a painter employed to paint the walls of the Posen town hall drew all kinds of figures which were extremely offensive to the Jews, and subjected them to the ridicule of an idle street mob. Two years later the local clergy spread the rumor, that the table on which the famous three hosts had been pierced by the Jews in 1399 [1] had been accidentally discovered in the house of a Jew. The fictitious relic was transferred to the Church of the Carmelites in a solemn procession, headed by the Bishop and the whole local priesthood. This demonstration helped to inflame the populace against the Jews. The crowd, fed on such spectacles, lost the last sparks of humanity. The scholars of the Jesuit colleges frequently invaded the Jewish quarter, making sport of the Jews and committing all kinds of excesses, in strange contradiction to the precept of the Gospels, to love their enemies, which they were taught in their schools.

Based on malicious fabrications, ritual murder trials become endemic during this period, and assume an ominous, inquisitorial character. Cases of this nature are given great prominence, and are tried by the highest Polish law court, the Crown

[1] See p. 55.

Tribunal,[1] without any of the safeguards of impartiality which had been provided for such cases by the ancient charters of the Polish kings, and had been more recently reaffirmed by Stephen Batory. In 1598 the Tribunal of Lublin sentenced three Jews to death on the charge of having slain a Christian boy, whose body had been found in a swamp in a near-by village. To force a confession from the accused the whole inquisitorial torture apparatus was set in motion, and execution by quartering was carried out with special solemnity in Lublin. The body of the youngster, the involuntary cause of the death of innocent victims, was transferred by the Jesuits to one of the local churches, where it became the object of superstitious veneration. Trials of this kind, with an occasional change of scene, were enacted in many other localities of Poland and Lithuania.

Simultaneously a literary agitation against the Jews was set on foot by the clerical party. Father Moyetzki published in 1598 in Cracow his ferociously anti-Jewish book entitled "Jewish Bestiality" (*Okrucieństwo Żydowskie*), enumerating all ritual murder trials which had ever taken place in Europe and particularly in Poland, and adding others which were invented for this purpose by the author.[2]

A Polish physician, named Shleshkovski, accused the Jewish physicians, his professional rivals, of systematically poisoning and delivering to death good Catholics, and declared the pest, raging at that time, to be a token of the Divine displeasure at the protection granted to the Jews in Poland (*Jasny dowód o doktorach żydowskich,* "A Clear Argument Concerning Jewish Physicians," 1623).

[1] Stephen Batory instituted two supreme courts for the realm: one for the Crown, *i. e.* for Poland proper, and another for Lithuania. The former held its sessions in Lublin for Little Poland and in Piotrkov for Great Poland (see p. 164).]

[2] A second edition of the book appeared in 1636.

But the palm undoubtedly belongs to Sebastian Michinski, of Cracow, the frenzied author of the "Mirror of the Polish Crown" (*Zwierciadlo korony Polskiej,* 1618). As a docile pupil of the Jesuits, Michinski collected everything that superstition and malice had ever invented against the Jews. He charged the Jews with every mortal sin—with political treachery, robbery, swindling, witchcraft, murder, sacrilege. In this scurrilous pamphlet he calls upon the deputies of the Polish Diet to deal with the Jews as they had been dealt with in Spain, France, England, and other countries—to expel them. In particular, the book is full of libels against the rich Jews of Cracow, with the result that the sentiment against the Jewish population of that city rapidly drifted towards a riot. To forestall the possibility of excesses the King ordered the confiscation of the book. The incendiary attacks of Michinski also led to stormy debates at the Diet of 1618. While some deputies eulogized him as a champion of truth, others denounced him as a demagogue and a menace to the public welfare. The Diet showed enough common sense to refuse to follow the lead of a writer crazed with Jew-hatred; yet the opinions voiced by him gradually took hold of the Polish people, and prepared the soil for sinister conflicts.

Sigismund III.'s successor, Vladislav IV., was not so zealous in his Catholicism and in his devotion to the Jesuits as his father. He exhibited a certain amount of tolerance towards the professors of other creeds, endeavored to uphold the ancient Jewish privileges, and made it, in general, his business to reconcile the warring estates with one another. However, the strife between the religious and social groups had already eaten so deeply into the vitals of Poland that even a far more energetic king than Vladislav IV. would scarcely have been able to

put an end to it. Instead of harmonizing the conflicting interests, the King sided now with one, now with another, party. In 1633 Vladislav IV. confirmed, at the Coronation Diet,[1] the basic privileges of the Jews, granting them full freedom in their export trade, fixing the limits of their judicial autonomy, and instructing the municipalities to take measures for shielding them against popular outbreaks. But at the same time he forbade the Jewish communities to erect new synagogues or establish new cemeteries, without obtaining in each case a royal license. This restriction, by the way, may be considered a privilege, inasmuch as an attempt had been made by Sigismund III. to make the right of erecting synagogues dependent on the consent of the clergy.

Though on the whole desirous of respecting the rights of the Jews, nevertheless, in individual cases, the King acted favorably on the petitions of various cities to restrict these rights, and occasionally revoked his own orders. Thus in June, 1642, he permitted the Jews of Cracow to engage freely in export trade, but two months later he withdrew his permission, the Christian merchants of Cracow having complained to him about the effectiveness of Jewish competition. Complying with the application of the burghers of Moghilev on the Dnieper,[2] he confirmed, in 1633, his father's orders concerning the transfer of the Jews from the center of the city to its outskirts, and subsequently, in 1646, sanctioned the decision of the magistracy

[1 In addition to the regular Diets, which assembled every two years (see above, p. 76, n. 1), there were held also Election Diets and Coronation Diets, in connection with the election and the coronation of the new king. The former met on a field near Warsaw; the latter were held in Cracow.]

[2 Moghilev on the Dnieper, in White Russia, is to be distinguished from Moghilev on the Dniester, a town in the present Government of Podolia.]

prohibiting the letting of houses to them in a Christian neighborhood. The law forbidding Jews to engage in petty trade on the market-place effected in some cities a substantial rise in the prices of necessaries, and the Shlakhta petitioned the King to repeal this prohibition for the city of Vilna. Vladislav complied with the petition, but, to please the Vilna municipality, he imposed at the same time a number of severe restrictions on the local Jews, making them liable to the municipal courts in monetary litigation with Christians, confining their area of residence to the boundaries of the "Jewish street," and barring them from plying those trades which were pursued by the Christian trade-unions (1633). The same policy was responsible for the anti-Jewish riots which took place about the same time in Vilna, Brest, and other cities.

Nothing did more to accentuate these conflicts than the preposterous economic policy of the Polish Government. The Warsaw Diet of 1643, in endeavoring to determine the prices of various articles of merchandise, passed a law compelling all merchants to limit themselves by a public oath to a definite rate of profit, which was fixed at seven per cent in the case of the native Christian (*incola*), five per cent in the case of the foreigner (*advena*), and only three per cent in the case of the Jew (*infidelis*). It is obvious that, being under the compulsion of selling his goods at a cheaper price, the Jew on the one hand was forced to lower the quality of his merchandise, and on the other hand was bound to undermine Christian trade, and thereby draw upon himself the wrath of his competitors.

As for the Polish clergy, true to its old policy it fostered in its flock the vulgar religious prejudices against the Jews. This applies, in particular, to the Jesuits, though, to a lesser

degree, it holds good also in the case of the other Catholic orders of Poland. A frequent contrivance to raise the prestige of the Church was to engineer impressive demonstrations. In the spring of 1636, when a Christian child happened to disappear in Lublin, suspicion was cast upon the Jews, that they had tortured the child to death. The Crown Tribunal, which tried the case, and failed to find any evidence, acquitted the innocent Jews. Thereupon the local clergy, dissatisfied with the judgment of the court, manufactured a new case, this time with the necessary "evidence." A Carmelite monk by the name of Peter asserted that the Jews, having lured him into a house, told a German surgeon to bleed him, and that his blood was squeezed out and poured into a vessel, while the Jews murmured mysterious incantations over it. The Tribunal gave credit to this hideous charge, and, after going through the regular legal proceedings, including the medieval "cross-examinations" and the rack, sentenced one Jew named Mark (Mordecai) to death. The Carmelite monks hastened to advertise the case for the purpose of planting the terrible prejudice more firmly in the hearts of the people.

Another trial of a similar nature took place in 1639. Two elders of the Jewish community of Lenchitza were sentenced to death by the Crown Tribunal on the charge of having murdered a Christian boy from a neighboring village. Neither the protestation of the Starosta of Lenchitza, that the case did not come within the jurisdiction of his court, nor the fact that the accused, though put upon the rack, refused to make a confession, were able to avert the death sentence. The bodies of the executed Jews were cut into pieces and hung on poles at the cross-roads. The Bernardine monks of Lenchitza turned the

incident to good account by placing the remains of the supposedly martyred boy in their church and putting up a picture representing all the details of the murder. The superstitious Catholic masses flocked to the church to worship at the shrine of the juvenile saint, swelling the revenues of the Bernardine church—which was exactly what the devout monks were after.

While the Church was engineering the ritual murder trials for the sake of " business," the municipal agencies, representing the Christian merchant class, acted similarly for the purpose of ridding themselves of the Jews and getting trade under their absolute control. This policy is luridly illustrated by a tragic occurrence, which, in the years 1635 to 1637, stirred the city of Cracow to its depths. A Pole by the name of Peter Yurkevich was convicted of having stolen some church vessels. At the cross-examination, having been put upon the rack, he testified that a Jewish tailor, named Jacob Gzheslik, had persuaded him to steal a host. Since the Jew had disappeared and could nowhere be found, Yurkevich was the only one to bear the death penalty. But before the execution, in making his confession to the priest, he stated—and he repeated the statement afterwards before an official committee of investigation—the following facts:

I have stolen no sacraments from any church, and have never made my God an object of barter. I merely stole a few silver and other church dishes. My former depositions were made at the advice of the gentlemen of the magistracy. The first time I was conducted into the court room Judge Belza spoke to me as follows: " Depose that you have stolen the sacraments and sold them to the Jews. You will suffer no harm from it, while we shall have a weapon wherewith to expel the Jews from Cracow." I had hoped that this deposition would obtain freedom for me, and I did as I had been told.

But Yurkevich's statement had no effect. He was convicted on the strength of his original affidavit, though it had been squeezed out of him by trickery and torture, and he was burned at the stake. As for the Jews of Cracow, they had to bear the penalty in the shape of a riot, the mob attacking the Jewish ghetto and seizing forty Jews, who were carried off to be thrown into the river. Seven men were drowned, while the others saved themselves by promising to embrace Christianity (May, 1637).

CHAPTER IV

THE INNER LIFE OF POLISH JEWRY AT ITS ZENITH

1. Kahal Autonomy and the Jewish Diets

The peculiar position occupied by the Jews in Poland made their social autonomy both necessary and possible. Constituting an historical nationality, with an inner life of its own, the Jews were segregated by the Government as a separate estate, an independent social body. Though forming an integral part of the urban population, the Jews were not officially included in any one of the general urban estates, whose affairs were administered by the magistracy or the trade-unions. Nor were they subjected to the jurisdiction of Christian law courts as far as their internal affairs were concerned. They formed an entirely independent class of citizens, and as such were in need of independent agencies of self-government and jurisdiction. The Jewish community constituted not only a national and cultural, but also a civil, entity. It formed a Jewish city within a Christian city, with its separate forms of life, its own religious, administrative, judicial, and charitable institutions. The Government of a country with sharply divided estates could not but legalize the autonomy of the Jewish Kahal, after having legalized the Magdeburg Law of the Christian urban estates, in which the Germans constituted the predominating element. As for the kings, in their capacity as the official "guardians" of the Jews, they were especially concerned in having the Kahals properly organized, since the regular payment of the Jewish taxes was thereby assured. Moreover, the Government found it more to its convenience to

deal with a well-defined body of representatives than with the unorganized masses.

As early as the period of royal "paternalism," during the reign of Sigismund I., the king endeavored to extend his fatherly protection to the Jewish system of communal self-government. The appointment of Michael Yosefovich as the "senior" of the Lithuanian Jews, with a rabbi as expert adviser [1], was designed to safeguard the interests of the exchequer by concentrating the power in the hands of a federation of Kahals in Lithuania. On more than one occasion Sigismund I. confirmed the "spiritual judges," or rabbis (*judices spirituales, doctores legis*), elected by the Jews in different parts of Poland, in their office. In 1518 he ratified, at the request of the Jews of Posen, their election of two leading rabbis, Moses and Mendel, to the posts of provincial judges for all the communities of Great Poland, bestowing upon the newly-elected officials the right of instructing and judging their coreligionists in accordance with the Jewish law. In Cracow, where the Jews were divided into two separate communities—one of native Polish Jews and another of immigrants from Bohemia,—the King empowered each of them to elect its own rabbi. The choice fell upon Rabbi Asher for the former, and upon Rabbi Peretz for the latter, community, and when a dispute arose between the two communities as to the ownership of the old synagogue, the King again intervened, and decided the case in favor of the native community (1519). In 1531 Mendel Frank, the rabbi of Brest, complained to the King that the Jews did not always respect his decisions, and brought their cases before the royal starostas. Accordingly Sigismund I. thought it necessary to warn the Jews to submit

[1] See pp. 72 and 73.

to the jurisdiction of their own "doctors," or rabbis, who dispensed justice according to the "Jewish law," and were given the right of imposing the "oath" (*herem*, excommunication) and all kinds of other penalties upon insubordinates. In the following year the King appointed as "senior," or chief rabbi, of Cracow the well-known scholar Moses Fishel—who, it may be added parenthetically, had taken the degree of Doctor of Medicine in Padua—to succeed Rabbi Asher, referred to previously. Pursuing the same policy of centralization, the King, a few years later, in 1541, confirmed in their office as chief rabbis (*seniores*) of the whole province of Little Poland two men "learned in the Jewish law," the same Rabbi Moses Fishel of Cracow, and the famous progenitor of Polish Talmudism, Rabbi Shalom Shakhna of Lublin.

In the same measure, however, in which the communal organization of the Jews gained in strength, and the functions of the rabbis and Kahal elders became more clearly defined, the Government gradually receded from its attitude of paternal interference. The *magna charta* of Jewish autonomy may be said to be represented by the charter of Sigismund Augustus, issued on August 13, 1551, which embodies the fundamental principles of self-government for the Jewish communities of Great Poland.

According to this charter, the Jews are entitled to elect, by general agreement,[1] their own rabbis and "lawful judges" to take charge of their spiritual and social affairs. The rabbis and judges, elected in this manner, are authorized to expound all questions of the religious ritual, to perform marriages and grant divorces, to execute the transfer of property and other

[1 *Unanimi voto et consensu* are the exact words of the document. See Bersohn, *Dyplomatariusz* (Collection of ancient Polish enactments relating to Jews), p. 51.]

acts of a civil character, and to settle disputes between Jews in accordance with the "Mosaic law" (*iuxta ritum et morem legis illorum Mosaicae*) and the supplementary Jewish legislation. In conjunction with the Kahal elders they are empowered to subject offenders against the law to excommunication and other punishments, such as the Jewish customs may prescribe. In case the person punished in this manner does not recant within a month, the matter is to be brought to the knowledge of the king, who may sentence the incorrigible malefactor to death and confiscate his property. The local officers of the king are enjoined to lend their assistance in carrying out the orders of the rabbis and elders.

This enactment, coupled with a number of similar charters, which were subsequently promulgated for various provinces of Poland, conferred upon the elective representatives of the Jewish communities extensive autonomy in economic and administrative as well as judicial affairs, at the same time insuring its practical realization by placing at its disposal the power of the royal administration.

The firm consolidation of the *régime* of the self-governing community, the *Kahal,* dates from that period. In this appellation two concepts were merged: the "community," the aggregate of the local Jews, on the one hand, and, on the other, the "communal administration," representing the totality of all the Jewish institutions of a given locality, including the rabbinate. The activity of the Kahals assumed particularly large proportions beginning with the latter half of the sixteenth century.

All cities and towns with a Jewish population had their separate Kahal boards. Their size corresponded roughly to that of the given community. In large centers the member-

ship of the Kahal board amounted to forty; in smaller towns it was limited to ten. The members of the Kahal were elected annually during the intermediate days of Passover. As a rule the election proceeded according to a double-graded system. Several electors (*borerim*), their number varying from nine to five, were appointed by lot from among the members of all synagogues, and these electors, after taking a solemn oath, chose the Kahal elders. The elders were divided into groups. Two of these, the *rashim* and *tubim* (the "heads" and "optimates"), stood at the head of the administration, and were in charge of the general affairs of the community. They were followed by the *dayyanim*, or judges, and the *gabbaim*, or directors, who managed the synagogues as well as the educational and charitable institutions. The *rashim* and *tubim* formed the nucleus of the Kahal, seven of them making a quorum; in the smaller communities they were practically identical with the Kahal board.

The sphere of the Kahal's activity was very large. Within the area allotted to it the Kahal collected and turned over to the exchequer the state taxes, arranged the assessment of imposts, both of a general and a special character, took charge of the synagogues, the Talmudic academies, the cemeteries, and other communal institutions. The Kahal executed title-deeds on real estate, regulated the instruction of the young, organized the affairs appertaining to charity and to commerce and handicrafts, and with the help of the *dayyanim* and the rabbi settled disputes between the members of the community. As for the rabbi, while exercising unrestricted authority in religious affairs, he was in all else dependent on the Kahal board, which invited him to his post for a definite term. Only great authorities, far-famed on account of their Talmudic

erudition, were able to assert their influence in all departments of communal life.

The Kahal of each city extended its authority to the adjacent settlements and villages which did not possess autonomous organizations of their own. Moreover, the Kahals of the large centers kept under their jurisdiction the minor Kahals, or *prikahalki*,[1] as they were officially called, of the towns and townlets of their district, as far as the apportionment of taxes and the judicial authority were concerned. This gave rise to the "Kahal boroughs," or *gheliloth* (singular, *galil*). Often disputes arose between the Kahal boroughs as to the boundaries of their districts, the contested minor communities submitting now to this, now to the other, "belligerent." On the whole, however, the moderate centralization of self-government benefited the Jewish population, since it introduced order and discipline into the Kahal hierarchy, and enabled it to defend the civil and national interests of Judaism more effectively.

The capstone of this Kahal organization were the so-called *Waads*,[2] the conferences or assemblies of rabbis and Kahal leaders. These conferences received their original impetus from the rabbis and judges. The rabbinical law courts, officially endowed with extensive powers, were guided in their decisions by the legislation embodied in the Bible and the Talmud, which made full provision for all questions of religious, civil, and domestic life as well as for all possible infractions of the law. Yet it was but natural that even in this extensive system of law disputed points should arise for which the competency of a single rabbi did not suffice. Moreover there were cases in which the litigants appealed from the decision of one rabbinical

[1 Literally, By-Kahals.]
[2 a = short German *a*. In Hebrew ועד.]

court to another, more authoritative, court. Finally lawsuits would occasionally arise between groups of the population, between one community and another, or between a private person and a Kahal board. For such emergencies conferences of rabbis and elders would be called from time to time as the highest court of appeal.

Beginning with the middle of the sixteenth century these conferences met at the time of the great fairs, when large numbers of people congregated from various places, and litigants arrived in connection with their business affairs. The chief meeting-place was the Lublin fair, owing to the fact that Lublin was the residence of the father of Polish rabbinism, the above-mentioned Rabbi Shalom Shakhna, who was officially recognized as the "senior rabbi" of Little Poland. As far back as in the reign of Sigismund I. the "Jewish doctors," or rabbis, met there for the purpose of settling civil disputes "according to their law." In the latter part of the sixteenth century these conferences of rabbis and communal leaders, assembling in connection with the Lublin fairs, became more frequent, and led in a short time to the organization of regular, periodic conventions, which were attended by representatives from the principal Jewish communities of the whole of Poland.

The activity of these conferences, or conventions, passed, by gradual expansion, from the judicial sphere into that of administration and legislation. At these conventions laws were adopted determining the order of Kahal elections, fixing the competency of the rabbis and judges, granting permits for publishing books, and so forth. Occasionally these assemblies of Jewish notables endorsed by their authority the enactments of the Polish Government. Thus, in 1580, the representatives of the Polish-Jewish communities, who assembled in

Lublin, gave their solemn sanction to the well-known Polish law barring the Jews of the Crown, of Poland proper, from farming state taxes and other public revenues, in view of the fact that "certain people, thirsting for gain and wealth, to be obtained from extensive leases, might thereby expose the community to great danger."

Towards the end of the sixteenth century the fair conferences received a firmer organization. They were attended by the rabbis and Kahal representatives of the following provinces: Great Poland (the leading community being that of Posen), Little Poland (Cracow and Lublin), Red Russia (Lemberg), Volhynia (Ostrog and Kremenetz), and Lithuania (Brest and Grodno). Originally the name of the assembly varied with the number of provinces represented in it, and it was designated as the Council of the Three, or the Four, or the Five, Lands. Subsequently, when Lithuania withdrew from the Polish Kahal organization, establishing a federation of its own, and the four provinces of the Crown [1] began to send their delegates regularly to these conferences, the name of the assembly was ultimately fixed as "the Council of the Four Lands" (*Waad Arba Aratzoth*).

The "Council" was made up of several leading rabbis of Poland,[2] and of one delegate for each of the principal Kahals selected from among their elders—the number of the conferees altogether amounting to about thirty. They met periodically, once or twice a year, in Lublin and Yaroslav (Galicia) alternately. As a rule, the Council assembled in Lublin in early spring, between Purim and Passover, and in Yaroslav at the end of the summer, before the high holidays.

[1 Great Poland, Little Poland, Red Russia, and Volhynia. Volhynia at first formed part of the Lithuanian Duchy, but was ceded to the Crown, in 1569, by the Union of Lublin.]

[2 In the middle of the seventeenth century their number was six.

The representatives of the Four Lands—says a well-known annalist of the first half of the seventeenth century [1]—reminded one of the Sanhedrin, which in ancient days assembled in the Chamber of Hewn Stones (*lishkath ha-gazith*) of the temple. They dispensed justice to all the Jews of the Polish realm, issued preventive measures and obligatory enactments (*takkanoth*), and imposed penalties as they saw fit. All the difficult cases were brought before their court. To facilitate matters the delegates of the Four Lands appointed [a special commission of] so-called "provincial judges" (*dayyane medinoth*) to settle disputes concerning property, while they themselves [in plenary session] examined criminal cases, matters appertaining to *hazaka* (priority of possession) and other difficult points of law.

The Council of the Four Lands was the guardian of Jewish civil interests in Poland. It sent its *shtadlans* [2] to the residential city of Warsaw [3] and other meeting-places of the Polish Diets for the purpose of securing from the king and his dignitaries the ratification of the ancient Jewish privileges, which had been violated by the local authorities, or of forestalling contemplated restrictive laws and increased fiscal burdens for the Jewish population.

But the main energy of the Waad was directed towards the regulation of the inner life of the Jews. The statute of 1607, framed, at the instance of the Waad, by Joshua Falk Cohen,

[1] Nathan Hannover, in his *Yeven Metzula* [see p. 157, n. 1], ed. Venice, 1653, p. 12.

[2] A Hebrew term designating public-spirited Jews who defend the interests of their coreligionists before the Government. In Polish official documents they are referred to as "General Syndics." In Poland the *shtadlans* were regular officials maintained by the Jewish community. Comp. the article by L. Lewin, *Der Schtadlan im Posener Ghetto*, in *Festschrift* published in honor of Dr. Wolf Feilchenfeld (1907), pp. 31 *et seq.*]

[3] Towards the end of the sixteenth century Warsaw, instead of Cracow, became the residence of the Polish kings. The Jews had no right of domicile in Warsaw, and were permitted only to visit it temporarily. [See p. 85.]

Rabbi of Lublin, is typical of this solicitude. The following rules are prescribed for the purpose of fostering piety and commercial integrity among the Jewish people: to pay special attention to the observance of the dietary laws, to refrain from adopting the Christian form of dress; not to drink wine with Christians in the pot-houses, in order not to be classed among the disreputable members of the community; to watch over the chastity of Jewish women, particularly in the villages where the Jewish arendars[1] with their families were isolated in the midst of the Christian population. In the same statute rules are also laid down tending to restrain the activities of Jewish usurers and to regulate money credit in general.

In 1623 the Kahals of Lithuania withdrew from the federation of the Four Lands, and established a provincial organization of their own, which was centralized in the convention of delegates from the three principal Kahals of Brest, Grodno, and Pinsk. Subsequently, in 1652 and 1691, the Kahals of Vilna and Slutzk were added. The Lithuanian assembly was generally designated as the "Council of the Principal Communities of the Province of Lithuania" (*Waad Kehilloth Rashioth di-Medinath Lita*). The organic statute, framed by the first Council, comprises many aspects of the social and spiritual life of the Jews. It lays down rules concerning the mutual relationship of the communities, the methods of apportioning the taxes among them, the relations with the outside world (such as the Polish Diets, the local authorities, the landed nobility, and the urban estates), the elections of the Kahals, and the question of popular education. The Lithuanian Waad met every three years in various cities of Lithuania, but in cases of emergency extraordinary conventions were called. During the first years

[1 See p. 93, n. 1.]

of its existence the Lithuanian Council was evidently subordinate to that of Poland, but at a later date this dependence ceased.

In this way both the Crown, or Poland proper, and Lithuania had their communal federations with central administrative agencies. As was pointed out previously, the Polish federation was composed of four provinces. The individual Kahals, which were the component parts of each of these four provinces, held their own provincial assemblies, which stood in the same relation to the Waad as the "Dietines," or provincial Diets, of Poland, to the national Diet of the whole country.[1] Thus the communities of Great Poland had their own Great-Polish "Dietine," those of Volhynia their own Volhynian "Dietine," and so forth. The provincial Kahal conventions met for the purpose of allotting the taxes to the individual communities of a given province, in proportion to the size of its population, or of electing delegates to the federated Council. These Jewish Dietines acted as the intermediate agencies of self-government, standing half-way between the individual Kahals on the one hand and the general Waads of the Crown and of Lithuania on the other.

This firmly-knit organization of communal self-government could not but foster among the Jews of Poland a spirit of discipline and obedience to the law. It had an educational effect on the Jewish populace, which was left by the Government to itself, and had no share in the common life of the country. It provided the stateless nation with a substitute for national and political self-expression, keeping public spirit and civic virtue alive in it, and upholding and unfolding its genuine culture.

[1 See p. 76, n. 1.]

2. The Instruction of the Young

One of the mainstays of this genuine culture was the autonomous school. The instruction of the rising generation was the object of constant solicitude on the part of the Kahals and the rabbis as well as the conventions and Councils. Elementary and secondary education was centered in the *heders,* while higher education was fostered in the *yeshibahs.* Attendance at the heder was compulsory for all children of school age, approximately from six to thirteen. The subjects of instruction at these schools were the Bible in the original, accompanied by a translation into the Judeo-German vernacular,[1] and the easier treatises of the Talmud with commentaries. In some heders the study of Hebrew grammar and the four fundamental operations of arithmetic were also admitted into the curriculum. The establishment of these heders was left to private initiative, every *melammed,* or Jewish elementary teacher, being allowed to open a heder for boys and to receive compensation for his labors from their parents. Only the heders for poor children or for orphans, the so-called *Talmud Torahs,* were maintained by the community from public funds. Yet the supervision of the Kahal extended not only to the public, but also to the private, elementary schools. The Kahal prescribed the curriculum of the heders, arranged examinations for the scholars, fixed the remuneration of the teachers, determined the

[1 The so-called *Jüdisch-Deutsch,* which was by the Jews brought from Germany to Poland and Lithuania. It was only in the latter part of the seventeenth century that the dialect of Polish-Lithuanian Jewry began to depart from the *Jüdisch-Deutsch* as spoken by the German Jews, thus laying the foundation for modern *Yiddish.* See Dubnow's article "On the Spoken Dialect and the Popular Literature of the Polish and Lithuanian Jews in the Sixteenth and the First Half of the Seventeenth Century," in the periodical *Yevreyskaya Starina,* i. (1909), pp. 1 *et seq.*]

hours of instruction (which were generally from eight to twelve a day), and took charge of the whole school work, in some places even appointing a sort of school board (*Hevrah Talmud Torah*) from among its own members.

The higher Talmudic school or college, the yeshibah, was entirely under the care of the Kahal and the rabbis. This school, which provided a complete religious and juridical education based on the Talmud and the rabbinical codes of law, received the sanction of the Polish Government. King Sigismund Augustus granted the Jewish community of Lublin permission to open a yeshibah, or "gymnazium" (*gymnazium ad instituendos homines illorum religionis*), with a synagogue attached to it, bestowing upon its president, a learned rabbi, not only the title of "rector," but also extensive powers over the affairs of the community (1567). Four years later the same King granted an even larger license to "the learned Solomon of Lemberg, whom the Jewish community of Lemberg and the whole land of Russia [1] have chosen for their 'senior doctor' (*ab-beth-din*, or *rosh-yeshibah*)," conferring upon him the right to open schools in various cities, "to train the students in the sciences," to keep them under his control, and to inure them to a strict discipline.

In the course of time Talmudic yeshibahs sprang up in all the cities of Poland and Lithuania. The functions of rector, or rosh-yeshibah, were performed either by the local rabbi or by a man especially selected for this post on account of his learning. It seems that the combination of the two offices of rabbi and college president in one person was limited to those communities in which the duties of the spiritual guide of the community were not complex, and admitted of the simultaneous

[1 *I. e.* Red Russia, or Galicia.]

discharge of pedagogic functions. In the large centers, however, where the public responsibilities were regularly divided, the rosh-yeshibah was an independent dignitary, who was clothed with considerable authority. Similar to the contemporary rectors of Jesuit colleges, the rosh-yeshibah was absolute master within the school walls; he exercised unrestricted control over his pupils, subjecting them to a well-established discipline and dispensing justice among them.

The contemporary chronicler quoted above, Rabbi Nathan Hannover, of Zaslav, in Volhynia, portrays in vivid colors the Jewish school life of Poland and Lithuania in the first half of the seventeenth century.

In no country—quoth Rabbi Nathan[1]—was the study of the Torah so widespread among the Jews as in the Kingdom of Poland. Every Jewish community maintained a yeshibah, paying its president a large salary, so as to enable him to conduct the institution without worry and to devote himself entirely to the pursuit of learning. . . . Moreover, every Jewish community supported college students (*bahurs*), giving them a certain amount of money per week, so that they might study under the direction of the president. Every one of these bahurs was made to instruct at least two boys, for the purpose of deepening his own studies and gaining some experience in Talmudic discussions. The [poor] boys obtained their food either from the charity fund or from the public kitchen. A community of fifty Jewish families would support no less than thirty of these young men and boys, one family supplying board for one college student and his two pupils, the former sitting at the family table like one of the sons. . . . . There was scarcely a house in the whole Kingdom of Poland where the Torah was not studied, and where either the head of the family or his son or his son-in-law, or the yeshibah student boarding with him, was not an expert in Jewish learning; frequently all of these

[1] *Yeven Metzula* [see p. 157, n. 1], towards the end.

could be found under one roof. For this reason every community contained a large number of scholars, a community of fifty families having as many as twenty learned men, who were styled *morenu*[1] or *haber*.[2] They were all excelled by the rosh-yeshibah, all the scholars submitting to his authority and studying under him at the yeshibah.

The program of study in Poland was as follows: The scholastic term during which the young men and the boys were obliged to study under the rosh-yeshibah lasted from the beginning of the month of Iyyar until the middle of Ab [approximately from April until July] in the summer and from the first of the month of Heshvan until the fifteenth of Shebat [October-June] in the winter. Outside of these terms the young men and the boys were free to choose their own place of study. From the beginning of the summer term until Shabuoth and from the beginning of the winter term until Hanukkah all the students of the yeshibah studied with great intensity the Gemara [the Babylonian Talmud] and the commentaries of Rashi[3] and the Tosafists.[4]

The scholars and young students of the community as well as all interested in the study of the Law assembled daily at the yeshibah, where the president alone occupied a chair, while the scholars and college students stood around him. Before the appearance of the rosh-yeshibah they would discuss questions of Jewish law, and when he arrived every one laid his difficulties before him, and received an explanation. Thereupon silence was restored, and the rosh-yeshibah delivered his lecture, presenting the new results of his study. At the conclusion of the

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[1 Literally, "our teacher," a title bestowed since the Middle Ages on every ordained rabbi.]

[2 Literally, "companion," "colleague," a title conferred upon men who, without being ordained, have attained a high degree of scholarship.]

[3 Abbreviation for Rabbi Solomon ben Isaac (d. 1105), a famous French rabbi, whose commentaries on the Bible and the Talmud are marked by wonderful lucidity.]

[4 A school of Talmudic authorities, mostly of French origin, who, in the twelfth and thirteenth centuries, wrote *Tosafoth* (literally, "Additions"), critical and exegetical annotations, distinguished for their ingenuity.]

lecture he arranged a scientific argumentation (*hilluk*), proceeding in the following way: Various contradictions in the Talmud and the commentaries were pointed out, and solutions were proposed. These solutions were, in turn, shown to be contradictory, and other solutions were offered, this process being continued until the subject of discussion was completely elucidated. These exercises continued in summer at least until midday. From the middle of the two scholastic terms until their conclusion the rosh-yeshibah paid less attention to these argumentations, and read instead the religious codes, studying with the mature scholars the *Turim*[1] with commentaries, and with the [younger] students the compendium of Alfasi.[2] . . . . Several weeks before the close of the term the rosh-yeshibah would honor the members of his college, both the scholars and the students, by inviting them to conduct the scientific disputations on his behalf, though he himself would participate in the discussion in order to exercise the mental faculties of all those attending the yeshibah.

Attached to the president of the yeshibah was an inspector, who had the duty of visiting the elementary schools, or heders, daily, and seeing to it that all boys, whether poor or rich, applied themselves to study and did not loiter in the streets. On Thursdays the pupils had to present themselves before the trustee (*gabbai*) of the Talmud Torah, who examined them in what they had covered during the week. The boy who knew nothing or who did not answer adequately was by order of the trustee turned over to the inspector, who subjected him, in the presence of his fellow-pupils, to severe physical punishment and other painful degradations, that he might firmly resolve to improve in his studies during the following week. On Fridays the heder pupils presented themselves in a body before the rosh-yeshibah himself, to undergo

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[1 Hebrew for "Rows," with reference to the four rows of precious stones in the garment of the high priest (Ex. xxviii., 17)—title of a code of laws composed by Rabbi Jacob ben Asher (died at Toledo ab. 1340). It is divided into four parts, dealing respectively with ritual, dietary, domestic, and civil laws. The *Turim* was the forerunner of the *Shulhan Arukh*, for which it served as a model.]

[2 Isaac ben Jacob al-Fasi (*i. e.* from Fez in North Africa) (died 1103), author of a famous Talmudic compendium.]

a similar examination. This had a strong deterrent effect upon the boys, and they devoted themselves energetically to their studies. . . . . The scholars, seeing this [the honors showered upon the rosh-yeshibah], coveted the same distinction, that of becoming a rosh-yeshibah in some community. They studied assiduously in consequence. Prompted originally by self-interest, they gradually came to devote themselves to the Torah from pure, unselfish motives.

By way of contrast to this panegyric upon Polish-Jewish school life, it is only fair that we should quote another contemporary, who severely criticizes the methods of instruction then in vogue at the yeshibahs.

The whole instruction at the yeshibah—writes the well-known preacher Solomon Ephraim of Lenchitza (d. 1619)[1]—reduces itself to mental equilibristics and empty argumentations called hilluk. It is dreadful to contemplate that some venerable rabbi, presiding over a yeshibah, in his anxiety to discover and communicate to others some new interpretation, should offer a perverted explanation of the Talmud, though he himself and every one else be fully aware that the true meaning is different. Can it be God's will that we sharpen our minds by fallacies and sophistries, spending our time in vain and teaching the listeners to do likewise? And all this for the mere ambition of passing for a great scholar! . . . I myself have more than once argued with the Talmudic celebrities of our time, showing the need for abolishing the method of pilpul and hilluk, without being able to convince them. This attitude can only be explained by the eagerness of these scholars for honors and rosh-yeshibah posts. These empty quibbles have a particularly pernicious effect on our bahurs, for the reason that the bahur who does not shine in the discussion is looked down upon as incapable, and is practically forced to lay aside his studies, though he might prove to be one of the best, if Bible, Mishnah, Talmud, and the Codes were studied in a regular fashion. I myself have known

[1] עמודי שש, ed. Lemberg, 1865, pp. 18b, 61b.

capable young men who, not having distinguished themselves in pilpul, forfeited the respect of their fellow-students, and stopped studying altogether after their marriage.

Secular studies were not included in the curriculum of the yeshibahs. The religious codes composed during that period allow the study of "the other sciences" only "on occasion," and only to those who have completely mastered Talmudic and rabbinic literature. Needless to say, no yeshibah student could lay claim to such mastery until the completion of the college course. Moreover, the secular sciences had to be excluded from the yeshibah, for the external reason that the latter was generally located in a sacred place, near the synagogue, where the mere presence of a secular book was regarded as a profanation. Yet it occasionally happened that young men strayed away from the path of the Talmud, and secretly indulged in the study of secular sciences and of Aristotelian philosophy. This fact is attested by the great rabbinical authority of the sixteenth century, Rabbi Solomon Luria. "I myself"—he writes indignantly—"have seen the prayer of Aristotle copied in the prayer-books of the bahurs." This somewhat veiled expression indicates, in all likelihood, that among the books of the yeshibah students "contraband" was occasionally discovered, in the shape of manuscripts of philosophic content. Unfortunately we hear nothing more definite as to the way in which the Jewish youth of that period became infatuated with anathematized philosophy. We have reason to assume, however, that such deviations from the rigorous discipline of rabbinical scholarship were few and far between.

The yeshibahs, providing as they did an academic training, were the nurseries of that intellectual aristocracy which subsequently became so powerful a factor in the life of Polish-Lithu-

anian Jewry. This numerically considerable class of scholars looked down upon the uneducated multitude. Yet the level of literacy even among the latter was comparatively high. All boys, without exception, attended the heder, where they studied the Hebrew language and the Bible, while many devoted themselves to the Talmud. A different attitude is observable towards female education. Girls remained outside the school, their instruction not being considered obligatory according to the Jewish law. No heders for girls are mentioned in any of the documents of the time. Nor did a single woman attain to literary fame among the Jews of Poland and Lithuania. The girls were taught at home to read the prayers, but they were seldom instructed in the Hebrew language, so that the majority of women had but a very imperfect notion of the meaning of the prayers in the original. In consequence, the women began at that time to use the translations of the prayers in the Jewish vernacular, the so-called *Jüdisch-Deutsch*.

3. The High-Water Mark of Rabbinic Learning

The high intellectual level of the Polish Jews was the result of their relative economic prosperity. As for the character of their mental productivity, it was the direct outcome of their social autonomy. The vast system of Kahal self-government enhanced not only the authority of the rabbi, but also that of the learned Talmudist and of every layman familiar with Jewish law. The rabbi discharged, within the limits of his community, the functions of spiritual guide, head of the yeshibah, and inspector of elementary schools, as well as those of legislator and judge. An acquaintance with the vast and complicated Talmudic law was to a certain extent necessary even for the layman who occupied the office of an elder (*parnas,* or

rosh-ha-Kahal), or was in some way connected with the scheme of Jewish self-government. For the enactments of the Talmud regulated the inner life of the Polish Jews in the same way as they had done formerly in Babylonia, in the time of the autonomous Exilarchs and Gaons. But it must be remembered that, since the times of the Gaons, Jewish law had been considerably amplified, Rabbinic Judaism having been superimposed upon Talmudic Judaism. This mass of religious lore, which had been accumulating for centuries, now monopolized the minds of all educated Jews in the empire of Poland, which thus became a second Babylonia. It reigned supreme in the synagogues, the yeshibahs, and the elementary schools. It gave tone to social and domestic life. It spoke through the mouth of the judge, the administrator, and the communal leader. Lastly it determined the content of Jewish literary productivity. Polish-Jewish literature was almost exclusively consecrated to rabbinic law.

The beginnings of Talmudic learning in Poland can be traced back to the first half of the sixteenth century. It had been carried thither from neighboring Bohemia, primarily from the school of the originator of the pilpul method, Jacob Pollack.[1] A pupil of the latter, Rabbi Shalom Shakhna (ab. 1500-1558), is regarded as one of the pioneers of Polish Talmudism. All we know about his fortunes is that he lived and died in Lublin, that in 1541 he was confirmed by a decree of King Sigismund I. in the office of chief rabbi of Little Poland, and that he stood at the head of the yeshibah which sent forth

[1] It has been conjectured that the same scholar occupied, some time between 1503 and 1520, the post of rector in Poland itself, being at the head of the yeshibah in Cracow.

the rabbinical celebrities of the following generation.[1] It is quite probable that the rabbinical conferences of Lublin, which afterwards led to the formation of the "Council of the Four Lands," owe their inception to the initiative of Rabbi Shakhna. After his death his son Israel succeeded to the post of chief rabbi in Lublin. But it was a pupil of Shakhna, Moses Isserles, known in literature by the abbreviated name of ReMO (1520-1572),[2] who became famous throughout the entire Jewish world.

Moses Isserles, the son of a well-to-do Kahal elder in Cracow, became prominent in the rabbinical world early in life. He occupied the post of a member of the Jewish communal court in his native city, and stood at the head of the yeshibah. This combination of scholarly and practical activities prompted him to delve deep in the existing rabbinical codes, and he found, as a result of his investigation, that they were not exhaustive, and were in need of amplification.

Isserles was not even satisfied with the thoroughgoing elaboration of Jewish law which had been undertaken by his Palestinian contemporary Joseph Caro. When, in the middle of the sixteenth century, Caro's comprehensive commentary on the Code *Turim*,[3] entitled *Beth-Yoseph* ("House of Joseph"), appeared, Isserles composed a commentary on the same code under the name *Darkhe Moshe* ("Ways of Moses"), in which he considerably enlarged the legal material collected there, drawing from sources which Caro had left out of consideration.

[1] Two of his Responsa were published in Cracow, ab. 1540. See Zedner, Catalogue British Museum, p. 695. A new edition appeared in Husiatyn, in 1904, together with *Hiddushe Aaron Halevi*.]

[2] רמ״א [initials of *R*abbi *M*oses *I*(א = o)sserles].

[3] See p. 118, n. 1.]

When, a few years later, the latter published his own code, under the name of *Shulhan Arukh* ("The Dressed Table"), Isserles called attention to the fact that its author, being a Sephardic Jew, had failed in many cases to utilize the investigations of the rabbinic authorities among the Ashkenazim, and had left out of consideration the local religious customs, or *minhagim*, which were current among various groups of German-Polish Jewry. These omissions were carefully noted and supplied by Isserles. He supplemented the text of the *Shulhan Arukh* by a large number of new laws, which he had framed on the basis of the above-mentioned popular customs or of the religious and legal practice of the Ashkenazic rabbis. Caro's code having been named by the author "The Dressed Table," Isserles gave his supplements thereto the title "Tablecloth" (*Mappa*).[1] In this supplemented form the *Shulhan Arukh* was introduced, as a code of Jewish rabbinic law, into the religious and everyday life of the Polish Jews. The first edition of this combined code of Caro and Isserles appeared in Cracow in 1578, followed by numerous reprints, which testify to the extraordinary popularity of the work.

The *Shulhan Arukh* became the substructure for the further development of Polish rabbinism. Only very few scholars of consequence had the courage to challenge the authority of this generally acknowledged code of laws. One of these courageous men was the contemporary and correspondent of Isserles, Solomon Luria, known by the abbreviated name of ReSHaL[2] (ab. 1510-1573). Solomon Luria was a native of Posen, whither his grandfather had immigrated from Germany. Endowed with a subtle, analytic mind, Luria was a determined

[1] Popularly, however, Isserles' supplements are called *Haggahoth* ("Annotations").

[2] רש"ל [initials of *R*abbi *SH*elomo *L*uria].

opponent of the new school dialectics (pilpul), taking for his model the old casuistic method of the Tosafists,[1] which consisted in a detailed criticism and an ingenious analysis of the Talmudic texts. In this spirit he began to compose his remarkable commentary on the Talmud (*Yam shel Shelomo,* "Sea of Solomon"[2]), but succeeded in interpreting only a few tractates.

In all his investigations Luria manifested boldness of thought and independence of judgment, without sparing the authorities whenever he believed them to be in the wrong. Of the *Shulhan Arukh* and its author Luria spoke slightingly, claiming that Joseph Caro had used his sources without the necessary discrimination, and had decided many moot points of law arbitrarily. In consequence of this independence of judgment, Solomon Luria had many enemies in the scholarly world, but he had, on the other hand, many enthusiastic admirers and devoted disciples. In the middle of the sixteenth century he occupied the post of rabbi in the city of Ostrog, in Volhynia. By his Talmudic lectures, which attracted students from the whole region, he made this city the intellectual center of Volhynian and Lithuanian Jewry. The last years of his life he spent in Lublin, where to this day there exists a synagogue which bears his name.

Luria and Isserles were looked upon as the pillars of Polish rabbinism. Questions of Jewish ritual and law were submitted to them for decision, not only from various parts of their own country but also from Western Europe, from Italy, Germany, and Bohemia. Their replies to these inquiries, or "Responsa" (*Shaaloth u-Teshuboth*), have been gathered in special collections.

[1 See p. 117, n. 4.]
[2 Allusion to I Kings vii. 23-26.]

These two rabbis also carried on a scientific correspondence with each other. As a result of their divergent character and trend of mind, heated discussions frequently took place between them. Thus Luria, in spite of all his sobriety of intellect, gravitated towards the Cabala, while Isserles, with all his rabbinic conservatism, devoted part of his leisure to philosophy. The two scholars rebuked each other for their respective "weaknesses." Luria maintained that the wisdom of the "uncircumcised Aristotle" could be of no benefit, while Isserles tried to prove that many views of the Cabala were not in accord with the ideas of the Talmud, and that mysticism was more dangerous to faith than a moderate philosophy.

Isserles was right. The philosophy with which he occupied himself could scarcely be destructive of Orthodoxy. This is shown by his large work *Torath ha-'Olah* ("The Law of the Burnt-Offering," 1570),[1] which represents a weird mixture of religious and philosophic discussions on themes borrowed from Maimonides' "Guide of the Perplexed," interspersed with speculations about the various classes of angels or the architecture of the Jerusalem temple, its vessels and order of sacrifices. The author professes to detect in all the details of the temple service a profound symbolism. Notwithstanding the strange plan of the book there are many chapters in it that show the intimate familiarity of Isserles with the philosophic literature of the Sephardim, a remarkable record for an Ashkenazic rabbi of the sixteenth century.

The intimate connection between rabbinic learning and Jewish life stood out in bold relief from the moment the "Council of the Four Lands" began to discharge its regular functions. The Council had frequent occasion to decide, for practical purposes, complicated questions appertaining to domestic,

[1] Allusion to Lev. vi. 2.]

civil, and criminal law, or relating to legal procedure and religious practice, and the rabbis who participated in these conferences as legal experts were forced to accomplish a large amount of concrete, tangible work for themselves and their colleagues. Questions of law and ritual were everywhere assiduously investigated and elaborated, with that subtle analysis peculiar to the Jewish mind, which pursues every idea to its remotest consequences and its most trifling details.

The subject as well as the method of investigation depended, as a rule, on the social position of the investigator. The rabbis of higher rank, who took an active part in the Kahal administration, and participated in the meetings of the Councils, either of the Crown or of Lithuania, paid particular attention to the practical application of Talmudic law. One of the oldest scholars of this category during the period under discussion was Mordecai Jaffe (died 1612), a native of Bohemia, who occupied the post of rabbi successively in Grodno, Lublin, Kremenetz, Prague, and Posen. Towards the end of the sixteenth century he presided a number of times over the conferences of the "Council of the Four Lands." Though a pupil of Moses Isserles, Jaffe did not consider the *Shulhan Arukh* as supplemented by his teacher the last word in codification. He objected to the fact that its juridical conclusions were formulated dogmatically, without sufficient motivation.

For this reason he undertook the composition of a new and more elaborate code of laws, arranged in the accepted order of the four books of the *Turim*,[1] which is known as *Lebushim*, or "Raiments."[2] The method of Mordecai Jaffe differs from

[1] See p. 118, n. 1.]

[2] The titles of the various parts of his work are all composed of the word *Lebush* ("Raiment") and some additional epithet, borrowed, with reference to the author's name, from the description of Mordecai's garments, in Esther viii. 15.]

that of Joseph Caro and Isserles in the wealth of the scientific discussions which accompany every legal clause. At first Jaffe's code created a split in the rabbinical world, and threatened to weaken the authority of the *Shulhan Arukh*. In the end, however, the latter prevailed, and was acknowledged as the only authoritative guide for the religious and juridical practice of Judaism. Apart from his code, Mordecai Jaffe wrote, under the same general title *Lebushim*, five more volumes, containing Bible commentaries, synagogue sermons, and annotations to Maimonides' "Guide," as well as Cabalistic speculations.

Jaffe's successor as leading rabbi and president of the "Council of the Four Lands" was, in all likelihood, Joshua Falk Cohen (died 1616), Rabbi of Lublin and subsequently rector of the Talmudic yeshibah in Lemberg. He attained to fame through his commentary to the *Hoshen Mishpat*, the part of Caro's code dealing with civil law,[1] which he called *Sepher Meïrath 'Enaïm*, "A Book of the Enlightenment of the Eyes"[2] (abbreviated to SeM'A). He also framed, at the instance of the Waad, a large part of the above-mentioned regulations of 1607,[3] which were issued for the purpose of establishing piety and good morals more firmly among the Jews of Poland.

A more scholastic and less practical tendency is noticeable in the labors of Joshua Falk's contemporary, Meïr of Lublin (1554-1616), known by the abbreviated name of MaHaRaM.[4]

[1] The *Shulhan Arukh*, following the arrangement of the *Turim* (see above, p. 118, n. 1), is divided into four parts, the fourth of which, dealing with civil law, is called *Hoshen Mishpat*, "Breastplate of Judgment," with reference to Ex. xxviii. 15.]

[2] Allusion to Ps. xix. 9.]

[3] See pp. 111 and 112.

[4] מהר"ם [initials of *M*orenu (see p. 117, n. 1) *H*a-rab (the rabbi) *R*abbi *M*eïr.]

He was active as rabbi in Cracow, Lemberg, and Lublin, delivered Talmudic discourses before large audiences, wrote ingenious, casuistic commentaries to the most important treatises of the Talmud (entitled *Meïr 'Ene Hahamim,* "Enlightening the Eyes of the Wise"), and was busy replying to the numerous inquiries addressed to him by scholars from all parts (*Shaaloth u-Teshuboth Maharam*). Laying particular stress on subtle analysis, Rabbi Meïr of Lublin looked down upon the codifiers and systematic writers of the class to which Isserles and Jaffe belonged. The trifling minuteness of his investigations may be illustrated by the fact that he considered it necessary to write a special "opinion" about the question whether a woman is guilty of conjugal infidelity, if she is convicted of having had relations with the devil, the latter having visited her first in the shape of her husband and afterwards in the disguise of a Polish nobleman.

In the domain of dialectics Rabbi Meïr found a successful rival in the person of Samuel Edels, known by the abbreviated name of MaHaRSHO[1] (died 1631), who occupied the post of rabbi in Posen, Lublin, and Ostrog. In his comprehensive expositions to all the sections of the Talmudic Halakha (*Hiddushe Halakhoth,* "Novel Expositions of the Halakha"), he endeavored principally to exercise the thinking faculties and the memory of his students by an ingenious comparison of texts and by other scholastic intricacies. The dialectic commentary of Edels became one of the most important handbooks for the study of the Talmud in the heders and yeshibahs, and is frequently used there in our own days. His commentary on the Talmudic Haggada is strewn over with Cabalistic and

[1] מהרש"א [initials of *M*orenu *Ha*-rab *R*abbi *SH*emuel *E*(א =o)dels. Comp. the preceding note].

religio-philosophic ideas of the conservative Jewish thinkers of the Middle Ages.

In the middle of the seventeenth century the authority of the *Shulhan Arukh,* as edited by Isserles, had been so firmly established in Poland that this code was studied and expounded with even greater zeal than the Talmud. Joel Sirkis (died 1640) delivered lectures on Jewish Law on the basis of the *Turim* and the *Shulhan Arukh.* He wrote a commentary to the former under the name of *Beth Hadash* ("New House," abbreviated to BaH), and published a large number of opinions on questions of religious law. He held the Cabala in esteem, while condemning philosophy violently. His younger contemporaries devoted themselves exclusively to the exposition of the *Shulhan Arukh,* particularly to the section called *Yore De'a,*[1] dealing with the Jewish ritual, such as the religious customs of the home, the dietary laws, etc. Two elaborate commentaries to the *Yore De'a* appeared in 1646, the one composed by David Halevi, rabbi in Lemberg and Ostrog, under the title *Ture Zahab,*[2] and the other written by the famous Vilna scholar Sabbatai Kohen, under the name *Sifthe Kohen* ("Lips of the Priest").[3] These two commentaries, known by their abbreviated titles of TaZ and ShaK, have since that time been published together with the text of the *Shulhan Arukh.*

This literary productivity was largely stimulated by the rapid growth of Jewish typography in Poland. The first Jew-

[1 Literally, "Teaching Knowledge" (from Isaiah xxviii. 9), the title of the second part of the *Shulhan Arukh.* See above, p. 128, n. 1.]

[2 "Rows of Gold," allusion to the *Turim* (see above, p. 118, n. 1), with a clever play on the similarly sounding words in Cant. i. 11.—Subsequently David Halevi extended his commentary to the other parts of the *Shulhan Arukh.*]

[3 Allusion to Mal. ii. 7.—Later Sabbatai extended his commentary to the civil section of the *Shulhan Arukh,* called *Hoshen Mishpat* (see p. 128, n. 1).]

ish book printed in that country is the Pentateuch (Cracow, 1530). In the second half of the sixteenth century two large printing-presses, those of Cracow and Lublin, were active in publishing a vast number of old and new books from the domain of Talmudic, Rabbinic, and popular-didactic literature. In 1566 King Sigismund Augustus granted Benedict Levita, of Cracow, the monopoly of importing into Poland Jewish books from abroad. Again, in 1578, Stephen Batory bestowed on a certain Kalman the right of printing Jewish books in Lublin, owing to the difficulty of importing them from abroad. One of the causes of this intensified typographic activity in Poland was the papal censorship of the Talmud, which was established in Italy in 1564. From that time the printing-offices of Cracow and Lublin competed successfully with the technically perfected printing-presses of Venice and Prague, and the Polish book-market, as a result, was more and more dominated by local editions.

4. Secular Sciences, Philosophy, Cabala, and Apologetics

The Talmudic and Rabbinic science of law, absorbing as it did the best mental energies of Polish Jewry, left but little room for the other branches of literary endeavor. Among the daring "swimmers in the Talmudic ocean," contending for mastery in erudition and dialectic skill, there were but few with deeper spiritual longings who evinced an interest in questions of philosophy and natural science. The only exceptions were the physicians, who, on account of their profession, received a secular education at the universities of that period.

Originally the Jewish physicians of Poland were natives either of Spain, whence they had been expelled in 1492, or of

Italy, being in the latter case graduates of the Catholic University of Padua. Several of these foreign medical men became the body-physicians of Polish kings, such as Isaac Hispanus under John Albrecht and Alexander; Solomon Ashkenazi (who subsequently was physician and diplomat at the court of the Turkish Sultan Selim II.) under King Sigismund Augustus; Solomon Calahora under Stephen Batory, and others. But as early as the first part of the sixteenth century these foreigners were rivaled by native Jewish physicians, who traveled from Poland to Padua for the special purpose of receiving a medical training. Such was, for example, the case in 1530 with Moses Fishel, of Cracow, who was at once rabbi and physician. These trips to Italy became very frequent in the second part of the sixteenth century, and the number of Polish Jewish students in Padua was on the increase down to the eighteenth century. It is characteristic that the Christian Poles studying in Padua refused to enter their Jewish compatriots upon their "national register," in order, as is stated in their statutes, "not to mar the memory of so many celebrated men by the name of an infidel" (1654). In the university registers the Jewish students appeared as *Hebraei Poloni*.

As for religious philosophy, which was then on the wane in Western Europe, it formed in Poland merely the object of amateurish exercises on the part of several representatives of Rabbinic learning. Moses Isserles and Mordecai Jaffe commented, as was pointed out above, on the "Guide" of Maimonides in a superficial manner, fighting shy of its inconvenient rationalistic deductions. The favorite book of the theologians of that period was *Ikkarim* ("Principles"), the system of dogmatic Judaism formulated by the conservative Sephardic

thinker Joseph Albo. Commentaries to this book were written by Jacob Koppelman, of Brest-Kuyavsk [1] (*Ohel Ya'kob,* "Tent of Jacob," [2] Cracow, 1599), and Gedaliah Lifshitz, of Lublin (*Etz Shathul,* "Planted Tree," [3] 1618). The former, a lover of mathematics, loaded his commentary with geometrical and astronomical arguments, being of the opinion that it was possible in this way to prove scientifically the existence of God and the correlation of all phenomena. The latter was more inclined towards metaphysics and morals. How far this commentator was from grasping the true meaning of the original may be seen from his annotations to the introductory theses of the book. Commenting on the passage in which Albo states that "the happiness of man depends on the perfection of his thought and conduct," Lifshitz makes the following observation: "By human happiness is understood the *life beyond the grave,* for the goal of man in this world consists only in the attainment of eternal bliss after death."

In this way the Polish rabbis fashioned philosophy after their own pattern, and thereby rendered it "harmless." Free research was impossible, and perhaps not unattended by danger in an environment where tradition reigned supreme. The Chief Rabbi of Cracow, the above-mentioned Joel Sirkis, expressed the view that philosophy was the mother of all heresies, and that it was the "harlot" of which the wise king had said, "None that go unto her return again" (Proverbs ii. 19). He who becomes infatuated with philosophy and neglects the secret wisdom of the Cabala is liable, in Sirkis' opinion, to excommunication, and has no place among the faithful. The well-known mathematician and philosopher Joseph Solomon

[1] See p. 75, n. 2.]
[2] Allusion to Gen. xxv. 27.]
[3] Allusion to Ps. i. 3.]

Delmedigo (called in abbreviated form "YaSHaR of Candia"[1]), who spent nearly four years in Poland and Lithuania (1620-1624), arraigns the Polish Jews for their opposition to the secular sciences:

> Behold—he says in Biblical phraseology[2]—darkness covereth the earth, and the ignorant are numerous. For the breadth of thy land is full of yeshibahs and houses of Talmud study. . . . [The Jews of Poland] are opposed to the sciences, ... saying, The Lord hath no delight in the sharpened arrows of the grammarians, poets, and logicians, nor in the measurements of the mathematicians and the calculations of the astronomers.

The Cabala, which might be designated as an Orthodox counter-philosophy, made constant progress in Poland. The founder of the Polish Cabala was Mattathiah Delacruta, a native of Italy, who lived in Cracow. In 1594 he published in that city the system of Theoretic Cabala, entitled "Gates of Light" (*Sha'are Ora*), by a Sephardic writer of the fourteenth century, Joseph Gicatilla, accompanying it by an elaborate commentary of his own. Delacruta was, as far as the subject of the "hidden science" was concerned, the teacher of the versatile Rabbi Mordecai Jaffe, who, in turn, wrote a supercommentary to the mystical Bible commentary by the Italian Menahem Recanati.

Beginning with the seventeenth century, the old Theoretic Cabala is gradually superseded in Poland by the Practical Cabala,[3] taught by the new school of ARI[4] and Vital.[5] The

[1] ישׁ״ר מקנדיא [initials of *Y*osef *SH*elomo *R*ofe (physician)].

[2] In his book *Ma'yan Gannim* ("Fountain of Gardens," allusion to Cant. iv. 15), Introduction.]

[3] *Kabbalah ma'asith*, a phase of the Cabala which endeavors to influence the course of nature by Cabalistic *practices*, in other words, by performing miracles.]

[4] Initials of *A*shkenazi *R*abbi *I*saac [Luria]; he died at Safed in Palestine in 1572.]

[5] Hayyim Vital, also of Safed, died 1620.]

Cabalist Isaiah Horowitz, author of the famous work on ascetic morals called SHeLoH,[1] had been trained in the yeshibahs of Cracow and Lemberg, and for several years (1600-1606) occupied the post of rabbi in Volhynia. His son, Sheftel Horowitz, who was rabbi in Posen (1641-1658), published the mystical work of his father, adding from his own pen a moralist treatise under the title *Vave ha-'Amudim*.[2] Nathan Spira, preacher and rector of the Talmudic academy in Cracow (1585-1633), made a specialty of the Practical Cabala. His more ingenious than thoughtful book, "Discovering Deep Things"[3] (*Megalle 'Amukoth,* Cracow, 1637), contains an exposition in two hundred and fifty-two different ways of Moses' plea before God for permission to enter the Promised Land (Deuteronomy iii. 23). It consists of an endless chain of Cabalistic word-combinations and obscure symbolic allusions, yielding some inconceivable deductions, such as that Moses prayed to God concerning the appearance of the two Messiahs of the house of Joseph and David, or that Moses endeavored to eliminate the power of evil and to expiate in advance all the sins that would ever be committed by the Jewish people. Nathan Spira applied to the Cabala the method of the Rabbinical pilpul, and created a new variety of dialectic mysticism, which was just as far removed from sound theology as the scholastic speculations of the pilpulists were from scientific thinking.

More wholesome and more closely related to life was the trend of the Jewish apologetic literature which sprang up in Poland in the last quarter of the sixteenth century. The religious unrest which had been engendered by the Refor-

[1 Abbreviation of *SH*ne *L*uhoth *H*a-brith, "The Two Tables of the Covenant" (Deut. ix. 15).]
[2 "Hooks of the Pillars," allusion to Ex. xxvii. 11.]
[3 Allusion to Job xii. 22.]

mation gave rise to several rationalistic sects with radical, anti-ecclesiastic tendencies. Nearest of all to the tenets of Judaism was the sect of the Anti-Trinitarians (called Unitarians, Arians, or Socinians[1]), who denied the dogma of the Trinity and the divine nature of Jesus, but recognized the religious and moral teachings of the Gospels. Among the Anti-Trinitarian leaders were the theologian Simon Budny, of Vilna, and Martin Chekhovich, of Lublin. Stung by the fact that the Catholic clergy applied to them the contemptuous appellation of "Judaizers," or semi-Jews, the sectarians were anxious to demonstrate to the world that their doctrine had nothing in common with Judaism. For this purpose they carried on oral disputes with the rabbis, and tried to expose the "Jewish falsehoods" in their works.

Martin Chekhovich was particularly zealous in holding theological disputations, both in Lublin and in other cities, "with genuine as well as pseudo-Jews." The results of these disputations are embodied in several chapters of his books entitled "Christian Dialogues" (1575) and "Catechism" (1580). One of his Jewish opponents, Jacob (Nahman) of Belzhytz,[2] found it necessary to answer him in public in a little book written in the Polish language (*Odpis na dyalogi Czechowicza*, "Retort to the Dialogues of Chekhovich," 1581). Jacob of Belzhytz defends the simple dogmas of Judaism, and accuses his antagonists of desiring to arouse hostility to the Jewish people. The following observation of Jacob is interesting as showing the methods of disputation then in vogue:

[1 See above, p. 91, n. 1. There were, however, considerable differences of opinion among the various factions.]

[2 A town in the province of Lublin. Jacob became subsequently court physician of Sigismund III.; see Kraushar, *Historyja Żydów w Polsce*, ii. 268, n. 1. On his name, see Geiger's *Nachgelassene Schriften*, iii. 213.]

It often happens that a Christian puts a question to me from Holy Writ, to which I reply also from Holy Writ, and I try to argue it properly. But suddenly he will pick out another passage [from the Bible], saying: "How do you understand this?" and thus he does not finish the first question, on which it would be necessary to dwell longer. This is exactly what happens when the hunter's dogs are hounding the rabbit which flees from the road into a by-path, and, while the dogs are trying to catch it, slips away into the bushes. For this reason the Jew too has to interrupt the Christian in the midst of his speech, lest the latter escape like the rabbit as soon as he has finished speaking.

Chekhovich replied to Jacob's pamphlet in print in the same year. While defending his "Dialogues," he criticized the errors of the Talmud, and made sport of several Jewish customs, such as the use of *tefillin, mezuza,* and *tzitzith.*

A serious retort to the Christian theologians came from Isaac Troki, a cultured Karaite,[1] who died in 1594. He argued with Catholics, Lutherans, and Arians in Poland, not as a dilettante, but as a profound student of the Gospels and of Christian theology. About 1593 he wrote his remarkable apologetic treatise under the title *Hizzuk Emuna* ("Fortification of the Faith"). In the first part of his book, the author defends Judaism against the attacks of the Christian theologians, while in the second he takes the offensive and criticizes the teachings of the Church. He detects a whole series of contradictions in the texts of the Synoptic Gospels, pointing out the radical deviations of the New Testament from the Old and the departure of the later dogmatism of the Church from the New Testament itself. With calmness and assurance he proves the logical and historical impossibility of the interpretations of the well-known Biblical prophecies which serve as the substructure of the Christian dogma.

[1] Some deny that he was a Karaite.

For a long time no one was bold enough to print this "dreadful treatise," and it was circulated in manuscript both in the Hebrew original and in a Spanish and German version. The Hebrew original, accompanied by a Latin translation, was printed for the first time from a defective copy by the German scholar Wagenseil, Professor of Law in Bavaria. Wagenseil published the treatise *Hizzuk Emuna* in his collection of anti-Christian writings, to which he gave the awe-inspiring title "The Fiery Arrows of Satan" (*Tela Ignea Satanae,* 1681), and which were published for missionary purposes, "in order that the Christians may refute this book, which may otherwise fortify the Jews in their errors." The pious German professor could not foresee that his edition would be subsequently employed by men of the type of Voltaire and the French encyclopedists of the eighteenth century as a weapon to attack the doctrine of the Church. Voltaire commented on the book of Isaac Troki in these words: "Not even the most decided opponents of religion have brought forward any arguments which could not be found in the 'Fortification of the Faith' by Rabbi Isaac." In modern times the *Hizzuk Emuna* has been reprinted from more accurate copies, and has been translated into several European languages.[1]

[1 An English translation by Moses Mocatta appeared in London in 1851 under the title "Faith Strengthened."]

CHAPTER V

THE AUTONOMOUS CENTER IN POLAND DURING ITS DECLINE (1648-1772)

1. Economic and National Antagonism in the Ukraina

The Jewish center in Poland, marked by compactness of numbers and a widespread autonomous organization, seemed, down to the end of the seventeenth century, to be the only secure nest of the Jewish people and the legitimate seat of its national hegemony, which was slipping out of the hands of German Jewry. But in 1648 this comparatively peaceful nest was visited by a storm, which made the Jews of Eastern Europe speedily realize that they would have to tread the same sorrowful path, strewn with the bodies of martyrs, that had been traversed by their Western European brethren in the Middle Ages. The factors underlying this crisis were three: an acute economic class struggle, racial and religious antagonism, and the appearance upon the horizon of Jewish history of a new power of darkness—the semi-barbarous masses of Southern Russia.

In the central provinces of Poland the position of the Jews, as was pointed out previously, was determined by the interaction of class and economic forces on the one hand, and religious and political interests on the other, changing in accordance with the different combinations of the opposing factions. While the kings and the great nobles, prompted by fiscal and agrarian considerations, in most cases encouraged the commercial activities of the Jews, the urban estates, the trade and merchant guilds, from motives of competition, tried to

hinder them. As for the Catholic clergy, it was on general principles ever on the alert to oppress the "infidels."

As far as economic rivalry and social oppression are concerned, the Jews were able to resist them, either by influencing the Polish governing circles, or by combining their own forces and uniting them in a firmly-organized scheme of self-government, which had been conceded to them in so large a measure. At any rate, it was a cultural struggle between two elements: the Polish and the Jewish population, the Christian and the Jewish estates, or the Church and the Synagogue. This struggle was vastly complicated in the southeastern border provinces of Poland, the so-called Ukraina,[1] by the presence of a third element, which was foreign to the Poles no less than to the Jews—the local native population which was Russian by race and Greek Orthodox in religion, and was engaged principally in agriculture.

The vast region around the southern basin of the Dnieper, the whole territory comprising the provinces of Kiev, Poltava, and Chernigov, and including parts of Podolia and Volhynia, was subject to the political power of the Polish kings and the economic dominion of the Polish magnates. Enormous estates, comprising a large number of villages populated by Russian peasants, were here in the hands of wealthy Polish landlords, who enjoyed all the rights of feudal owners. The enthralled peasants, or khlops, as they were contemptuously nicknamed by the Polish nobles, were strange to their masters in point of religion and nationality. In the eyes of the Catholics, particularly in those of the clergy, the Greek Orthodox faith was a "religion of khlops," and they endeavored to eradi-

[1 Pronounced *Ookraïna*. The spelling "Ukraine" is less correct. The meaning of the word is "border," "frontier."]

cate it by forcing upon it compulsory church unions [1] or by persecuting the "dissidents." The Poles looked upon the Russian populace as an inferior race, which belonged more to Asia than to Europe. In these circumstances, the economic struggle between the feudal landlord and his serfs, unmitigated by the feeling of common nationality and religion, was bound to assume acute forms. Apart from the oppressive agricultural labor, which the peasants had to give regularly and gratuitously to the landlord, they were burdened with a multitude of minor imposts and taxes, levied on pastures, mills, hives, etc. The Polish magnates lived, as a rule, far away from their Ukrainian possessions, leaving the management of the latter in the hands of stewards and arendars.

Among these rural arendars there were many Jews, who principally leased from the pans the right of "propination," or the sale of spirituous liquors. These leases had the effect of transferring to the Jews some of the powers over the Russian serfs which were wielded by the noble landowners. The Jewish arendar endeavored to derive as much profit from the nobleman's estate as the owner himself would have derived had he lived there. But under the prevailing conditions of serfdom these profits could be extracted only by a relentless exploitation of the peasants. Moreover, the contemptuous attitude of the Shlakhta and the Catholic clergy towards the "religion of khlops," and their endeavors to force the Greek Orthodox serfs into Catholicism, by imposing upon them an ecclesiastic union, gave a sharp religious coloring to this

[1 The author refers to the compulsory establishment of the so-called Uniat Church, which follows the rites and traditions of the Greek Orthodox faith, but submits at the same time to the jurisdiction of the Roman See. The Uniat Church is still largely represented in Eastern Galicia among the Ruthenians.]

economic antagonism. The oppressed peasantry reacted to this treatment with ominous murmurings and agrarian disturbances in several places. The enslaved South Russian *muzhik* hated the Polish pan in his capacity as landlord, Catholic, and *Lakh*.[1] No less intensely did he hate the Jewish arendar, with whom he came in daily contact, and whom he regarded both as a steward of the pan and an "infidel," entirely foreign to him on account of his religious customs and habits of life. Thus the Ukrainian Jew found himself between hammer and anvil: between the pan and the khlop, between the Catholic and the Greek Orthodox, between the Pole and the Russian. Three classes, three religions, and three nationalities, clashed on a soil which contained in its bowels terrible volcanic forces—and a catastrophe was bound to follow.

The South Russian population, though politically and agriculturally dependent upon the Poles, was far from being that patient "beast of burden" into which the rule of serfdom tried to transform it. Many circumstances combined to foster a warlike spirit in this population. The proximity of the New Russian steppes and the Khanate of the Crimea, whence hordes of Tatars often burst forth to swoop down like birds of prey upon the eastern provinces of Poland, compelled the inhabitants of the Ukraina to organize themselves into warlike companies, or Cossacks,[2] to fight off the invaders. The Polish Government, acting through its local governors or starostas, en-

[1 A contemptuous nickname for Pole.]

[2 The word "Cossack," in Russian, *Kazak* (with the accent on the last syllable), is derived from the Tataric. "Cossackdom"—says Kostomarov, in his Russian standard work on the Cossack uprising (*Bogdan Khmelnitzki*, i. p. 5)—"is undoubtedly of Tataric origin, and so is the very name *Kozak*, which in Tataric means 'vagrant,' 'free warrior,' 'rider.'" Peter Kropotkin (Encyclopedia Britannica, 11th edition, vii. 218) similarly derives the word from Turki *Kuzzāk*, "adventurer," "freebooter."]

couraged the formation of these companies for the defense of the borders of the Empire. In this way Ukrainian Cossackdom, a semi-military, semi-agricultural caste, came into being, with an autonomous organization and its own *hetman*[1] at the head.

Apart from the Ukrainian Cossacks, who were subject to the Polish Government, there were also the so-called Zaporozhian[2] Cossacks, a completely independent military organization which lived beyond the Falls of the Dnieper, in the steppes of so-called New Russia, the present Governments of Yekaterinoslav and Kherson, and indulged in frequent raids upon the Turks and in constant warfare with the Tatars of the Crimea. This military camp, or *syech*,[3] beyond the Falls of the Dnieper attracted many khlops from the Ukraina, who preferred a free, unrestricted military life to the dreary existence of laboring slaves. The syech represented a primitive military republic, where daring, pluck, and knightly exploits were valued above all. It was a semi-barbarous Tatar horde, except that it professed the Greek Orthodox faith, and was of Russian origin, though, by the way, with a considerable admixture of Mongolian blood. The Ukrainian and Zaporozhian Cossacks were in constant relations with each other. The peasants of the Ukraina looked up with pride and hope to this their national guard, which sooner or later was bound to free them from the rule of the Poles and Jews. The Polish Government failed to perceive that on the eastern borders of the Empire a mass of explosives was constantly accumulating, which threatened to wreck the whole Polish Republic.

[1] Derived from the German word *Hauptmann*.]

[2] From the Russian word *Za porogi*, meaning "beyond the Falls" (scil. of the Dnieper).]

[3] Literally, "cutting," *i. e.* the cutting of a forest. Originally the Cossacks entered those regions as colonists and pioneers.]

Nor could the Jews foresee that this terrible force would be directed against them, and would stain with blood many pages of their history, serving as a terrible omen for the future. The first warning was sounded in 1637, when the Cossack leader Pavluk suddenly appeared from beyond the Falls in the province of Poltava, inciting the peasants to rise against the pans and the Jews. The rebels demolished several synagogues in the town of Lubny and in neighboring places, and killed about two hundred Jews. The real catastrophe, however, came ten years later. The mutiny of the Cossacks and the Ukrainian peasants in 1648 inaugurates in the history of the Jews of Eastern Europe the era of pogroms, which Southern Russia bequeathed to future generations down to the beginning of the twentieth century.

2. The Pogroms and Massacres of 1648-1649

In the spring of 1648, while King Vladislav IV. still sat on the throne of Poland, one of the popular Cossack leaders, Bogdan Khmelnitzki, from the town of Chigirin, in the province of Kiev, unfurled the banner of rebellion in the Ukraina and in the region beyond the Dnieper Falls. Infuriated by the conduct of the Polish authorities of his native place,[1] Khmelnitzki began to incite the Ukrainian Cossacks to armed resistance. They elected him secretly their hetman, and empowered him to conduct negotiations with the Zaporozhians. Having arrived in the region beyond the Dnieper Falls, he organized military companies, and concluded an alliance with the Khan of the Crimea, who entered into a compact to send large troops of Tatars to the aid of the rebels.

[1] According to legend, the chief of the district had pillaged Khmelnitzki's tent, carried off his wife, and flogged his son to death.

In April, 1648, the combined hosts of the Cossacks and Tatars moved from beyond the Falls of the Dnieper to the borders of the Ukraina. In the neighborhood of the Yellow Waters and Korsun they inflicted a severe defeat on the Polish army under the command of Pototzki and Kalinovski (May 6-15), and this defeat served as a signal for the whole region on the eastern banks of the Dnieper to rise in rebellion. The Russian peasants and town dwellers left their homes, and, organizing themselves into bands, devastated the estates of the pans, slaying their owners as well as the stewards and Jewish arendars. In the towns of Pereyaslav, Piryatin, Lokhvitz, Lubny, and the surrounding country, thousands of Jews were barbarously killed, and their property was either destroyed or pillaged. The rebels allowed only those to survive who embraced the Greek Orthodox faith. The Jews of several cities of the Kiev region, in order to escape from the hands of the Cossacks, fled into the camp of the Tatars, and gave themselves up voluntarily as prisoners of war. They knew that the Tatars refrained as a rule from killing them, and transported them instead into Turkey, where they were sold as slaves, and had a chance of being ransomed by their Turkish coreligionists.

At that juncture, in the month of May, King Vladislav IV. died, and an interregnum ensued, which, marked by political unrest, lasted six months. The flame of rebellion seized the whole of the Ukraina, as well as Volhynia and Podolia. Bands composed of Cossacks and Russian peasants led by Khmelnitzki's accomplices, savage Zaporozhian Cossacks, dispersed in all directions, and began to exterminate Poles and Jews. To quote a Russian historian:

Killing was accompanied by barbarous tortures; the victims were flayed alive, split asunder, clubbed to death, roasted on coals,

or scalded with boiling water. Even infants at the breast were not spared. The most terrible cruelty, however, was shown towards the Jews. They were destined to utter annihilation, and the slightest pity shown to them was looked upon as treason. Scrolls of the Law were taken out of the synagogues by the Cossacks, who danced on them while drinking whiskey. After this Jews were laid down upon them, and butchered without mercy. Thousands of Jewish infants were thrown into wells, or buried alive.

Contemporary Jewish chroniclers add that these human beasts purposely refrained from finishing their victims, so as to be able to torture them longer. They cut off their hands and feet, split the children asunder, "fish-like," or roasted them on fire. They opened the bowels of women, inserted live cats, and then sewed up the wounds. The unbridled bestiality of intoxicated savages found expression in these frightful tortures, of which even the Tatars were incapable.

Particularly tragic was the fate of those Jews who, in the hope of greater safety, had fled from the villages and townlets to the fortified cities. Having learned that several thousand Jews had taken refuge in the town of Niemirov in Podolia, Khmelnitzki dispatched thither a detachment of Cossacks under the command of the Zaporozhian Gania. Finding it difficult to take the city by storm, the Cossacks resorted to a trick. They drew nigh to Niemirov, carrying aloft the Polish banners and requesting admission into the city. The Jews, fooled into believing that it was a Polish army that had come to their rescue, opened the gates (Sivan 20=June 10, 1648). The Cossacks, in conjunction with the local Russian inhabitants, fell upon the Jews and massacred them; the women and girls were violated. The Rabbi and Rosh-Yeshibah of Niemirov, Jehiel Michael ben Eliezer, hid himself in the cemetery with his mother, hoping in this wise at least to be buried after

death. There he was seized by one of the rioters, a shoemaker, who began to club him. His aged mother begged the murderer to kill her instead of her son, but the inhuman shoemaker killed first the rabbi and then the aged woman.

The young Jewish women were frequently allowed to live, the Cossacks and peasants forcing them into baptism and taking them for wives. One beautiful Jewish girl who had been kidnaped for this purpose by a Cossack managed to convince him that she was able to throw a spell over bullets. She asked him to shoot at her, so as to prove to him that the bullet would glide off without causing her any injury. The Cossack discharged his gun, and the girl fell down, mortally wounded, yet happy in the knowledge that she was saved from a worse fate. Another Jewish girl, whom a Cossack was on the point of marrying, threw herself from the bridge into the water, while the wedding procession was marching to the church. Altogether about six thousand Jews perished in the city of Niemirov.

Those who escaped death fled to the fortified Podolian town of Tulchyn. Here an even more terrible tragedy was enacted. A large horde of Cossacks and peasants laid siege to the fortress, which contained several hundred Poles and some fifteen hundred Jews. The Poles and Jews took an oath not to betray one another and to defend the city to their last breath. The Jews, stationed on the walls of the fortress, shot at the besiegers, keeping them off from the city. After a long and unsuccessful siege the Cossacks conceived a treacherous plan. They informed the Poles of Tulchyn that they were aiming solely at the Jews, and, as soon as the latter were delivered into their hands, they would leave the Poles in peace. The Polish pans, headed by Count Chetvertinski, forgot their oath,

and decided to sacrifice their Jewish allies to secure their own safety. When the Jews discovered this treacherous intention, they immediately resolved to dispose of the Poles, whom they excelled in numbers. But the Rosh-Yeshibah of Tulchyn, Rabbi Aaron, implored them not to touch the pans, on the ground that such action might draw upon the Jews all over the Empire the hatred of the Polish population. "Let us rather perish," he exclaimed, "as did our brethren in Niemirov, and let us not endanger the lives of our brethren in all the places of their dispersion." The Jews yielded. They turned over all their property to Chetvertinski, asking him to offer it to the Cossacks as a ransom for their lives.

After entering the city, the Cossacks first took possession of the property of the Jews, and then drove them together into a garden, where they put up a banner and declared, "Let those who are willing to accept baptism station themselves under this banner, and we will spare their lives." The rabbis exhorted the people to accept martyrdom for the sake of their religion and their people. Not a single Jew was willing to become a traitor, and fifteen hundred victims were murdered in a most barbarous fashion. Nor did the perfidious Poles escape their fate. Another detachment of Cossacks, which entered Tulchyn later, slew all the Catholics, among them Count Chetvertinski. Treachery avenged treachery.

From Podolia the rebel bands penetrated into Volhynia. Here the massacres continued in the course of the whole summer and autumn of 1648. In the town of Polonnoye ten thousand Jews met their death at the hands of the Cossacks, or were taken captive by the Tatars. Among the victims was the Cabalist Samson of Ostropol, who was greatly revered by the people. This Cabalist, and three hundred pious fellow-

Jews who followed him, put on their funeral garments, the shrouds and prayer shawls, and offered up fervent prayers in the synagogue, awaiting death in the sacred place, where the murderers subsequently killed them one by one. Similar massacres took place in Zaslav, Ostrog, Constantinov, Narol, Kremenetz, Bar, and many other cities. The Ukraina as well as Volhynia and Podolia were turned into one big slaughter-house.

The Polish troops, particularly those under the brave command of Count Jeremiah Vishniovetzki, succeeded in subduing the Cossacks and peasants in several places, annihilating some of their bands with the same cruelty that the Cossacks had displayed towards the Poles and the Jews. The Jews fled to these troops for their safety, and they were welcomed by Vishniovetzki, who admitted the unfortunates into the baggage train, and, to use the expression of a Jewish chronicler, took care of them "as a father of his children." After the catastrophe of Niemirov he entered the city with his army, and executed the local rioters who had participated in the murder of the Jewish inhabitants. However, standing all alone, he was unable to extinguish the flame of the Cossack rebellion. For the commanders-in-chief of the Polish army did not display the proper energy at this critical moment, and Khmelnitzki was right in dubbing them contemptuously "featherbeds," "youngsters," and "Latins" ("bookworms").

From the Ukraina bands of rebellious peasants, or *haidamacks,* penetrated into the nearest towns of White Russia and Lithuania. From Chernigov and Starodub, where the Jewish inhabitants had been exterminated, the murderers moved towards the city of Homel (July or August). A contemporary gives the following description of the Homel massacre:

The rebels managed to bribe the head of the city, who delivered the Jews into their hands. The Greeks [*Yevanim, i. e.* the Greek Orthodox Russians] surrounded them with drawn swords, and with daggers and spears, exclaiming: "Why do you believe in your God, who has no pity on His suffering people, and does not save it from our hands? Reject your God, and you shall be masters! But if you will cling to the faith of your fathers, you shall all perish in the same way as your brethren in the Ukraina, in Pokutye,[1] and Lithuania perished at our hands." Thereupon Rabbi Eliezer, our teacher, the president of the [rabbinical] court, exclaimed: "Brethren, remember the death of our fellow-Jews, who perished to sanctify the name of our God! Let us too stretch forth our necks to the sword of the enemy; look at me and act as I do!" Immediately thousands of Jews renounced their lives, despised this world, and hallowed the name of God. The Rosh-Yeshibah was the first to offer up his body as a burnt-offering. Young and old, boys and girls saw the tortures, sufferings, and wounds of the teacher, who did not cease exhorting them to accept martyrdom in the name of Him who had called into being the generations of mortals. As one man they all exclaimed: "Let us forgive one another our mutual insults. Let us offer up our souls to God and our bodies to the wild waves, to our enemies, the offspring of the Greeks!" When our enemies heard these words, they started a terrible butchery, killing their victims with spears in order that they might die slowly. Husbands, wives, and children fell in heaps. They did not even attain to burial, dogs and swine feeding on their dead bodies.

In September, 1648, Khmelnitzki himself, marching at the head of a Cossack army, and accompanied by his Tatar allies, approached the walls of Lemberg, and began to besiege the capital of Red Russia, or Galicia. The Cossacks succeeded in storming and pillaging the suburbs, but they failed to penetrate to the fortified center of the town. Khmelnitzki pro-

[1 In Polish, *Pokucie*, name of a region in the southeast of the Polish Empire, between Hungary and the Bukowina. Its capital was the Galician city Kolomea.]

posed to the magistracy of Lemberg, that it deliver all the Jews and their property into the hands of the Cossacks, promising in this case to raise the siege. The magistracy replied that the Jews were under the jurisdiction of the king, and the town authorities had no right to dispose of them. Khmelnitzki thereupon agreed to withdraw, having obtained from the city an enormous ransom, the bulk of which had been contributed by the Jews.

From Lemberg Khmelnitzki proceeded with his troops in the direction of Warsaw, where at that time the election of a new king was taking place. The choice fell upon John Casimir, a brother of Vladislav IV., who had been Primate of Gnesen and a Cardinal (1648-1668). The new King entered into peace negotiations with the leader of the rebels, the hetman Khmelnitzki. But owing to the excessive demands of the Cossacks the negotiations were broken off, and as a result, in the spring of 1649, the flame of civil war flared up anew, accompanied by the destruction of many more Jewish communities. After a succession of battles in which the Poles were defeated, a treaty of peace was concluded between John Casimir and Khmelnitzki, in the town of Zborov. In this treaty, which was favorable to the Cossacks, a clause was included forbidding the residence of Jews in the portion of the Ukraina inhabited by the Cossacks, the regions of Chernigov, Poltava, Kiev, and partly Podolia (August, 1649).

At last the Jews, after a year and a half of suffering and tortures, could heave a sigh of relief. Those of them who, at the point of death, had embraced the Greek Orthodox faith, were permitted by King John Casimir to return to their old creed. The Jewish women who had been forcibly baptized fled in large numbers from their Cossack husbands, and re-

turned to their families. The Council of the Four Lands, which met in Lublin in the winter of 1650, framed a set of regulations looking to the restoration of normal conditions in the domestic and communal life of the Jews. The day of the Niemirov massacre (Sivan 20), which coincided with an old fast day in memory of the martyrs of the Crusades, was appointed a day of mourning, to commemorate the victims of the Cossack rebellion. Leading rabbis of the time composed a number of soul-stirring dirges and prayers, which were recited in the synagogues on the fateful anniversary of the twentieth of Sivan.

But the respite granted to the Jews after these terrible events did not last long. The Treaty of Zborov, which was unsatisfactory to the Polish Government, was not adhered to by it. Mutual resentment gave rise to new collisions, and civil war broke out again, in 1651. The Polish Government called together the national militia, which included a Jewish detachment of one thousand men. This time the people's army got the upper hand against the troops of Khmelnitzki, with the result that a treaty of peace was concluded which was advantageous to the Poles. In the Treaty of Byelaya Tzerkov, concluded in September, 1651, many claims of the Cossacks were rejected, and the right of the Jews to live in the Greek Orthodox portion of the Ukraina was restored.[1]

As a result, the Cossacks and Greek Orthodox Ukrainians rose again. Bogdan Khmelnitzki entered into negotiations with the Russian Tzar Alexis Michaelovich, looking to the incorporation, with the rights of an autonomous province, of

[1] The clause in question runs as follows: "The Jews, even as they formerly were residents and arendars on the estates of his Royal Majesty, as well as on the estates of the Shlakhta, shall equally be so in the future."

the Greek Orthodox portion of the Ukraina, under the name of Little Russia, into the Muscovite Empire. In 1654 this incorporation took place, and in the same year the Russian army marched upon White Russia and Lithuania to wage war on Poland. Now came the turn of the Jews of the northwestern region to endure their share of suffering.

3. The Russian and Swedish Invasions (1654-1658)

The alliance of their enemies, the Cossacks, with the rulers of Muscovy, a country which had always felt a superstitious dread of the people of other lands and religions, was fraught with untold misery for the Jews. It was now the turn of the inhabitants of White Russia and Lithuania to face the hordes of southern and northern Scythians, who invaded the regions hitherto spared by them, devastating them uninterruptedly for two years (1654-1656). The capture of the principal Polish cities by the combined hosts of the Muscovites and Cossacks was accompanied by the extermination or expulsion of the Jews. When Moghilev on the Dnieper [1] surrendered to Russian arms, Tzar Alexis Michaelovich complied with the request of the local Russian inhabitants, and gave orders to expel the Jews and divide their houses between the magistracy and the Russian authorities (1654). The Jews, however, who were hoping for a speedy termination of hostilities, failed to leave the city at once, and had to pay severely for it. Towards the end of the summer of 1655 the commander of the Russian garrison in Moghilev, Colonel Poklonski, learned of the approach of a Polish army under the command of Radziwill. Prompted by the fear that the Jewish residents might join the approaching enemy, Poklonski ordered the Jews to leave the boundaries

[1 See p. 98, n. 2.]

of the city, and, on the ground of their being Polish subjects, promised to have them transferred to the camp of Radziwill. Scarcely had the Jews, accompanied by their wives and children, and carrying with them their property, left the town behind them when the Russian soldiers, at the command of the same Poklonski, fell upon them and killed nearly all of them, plundering their property at the same time.

In Vitebsk the Jews took an active part in defending the town against the besieging Russian army. They dug trenches around the fortified castle, strengthened the walls, supplied the soldiers with arms, powder, and horses, and acted as scouts. When the city was finally taken by the Russians, the Jews were completely robbed by the Zaporozhian Cossacks, while many of them were taken captive, forcibly baptized, or exiled to Pskov, Novgorod, and Kazan.

The Jews suffered no less heavily from the riot which took place in Vilna, the capital of Lithuania, after its occupation by the combined army of Muscovites and Cossacks in August, 1655. A large part of the Vilna community fled for its life. Those who remained behind were either killed or banished from the town at the command of Tzar Alexis Michaelovich, who was anxious to comply with the request of the local Russian townspeople, to rid them of their Jewish competitors.

Shortly thereafter a similar fate overtook the central Polish provinces on the Vistula and the San River, which had hitherto been spared the horrors of the Cossacks and Muscovites. The invasion of Sweden, the third enemy of Poland (1655-1658), carried bloodshed into the very heart of the country. The Swedish King, Charles Gustav, reduced one city after the other, both the old and the new capital, Cracow and Warsaw, speedily surrendering to him. A large part of Great and Little Poland

fell into the hands of the Swedes, and the Polish King, John Casimir, was compelled to flee to Silesia.

The easy victories of the Swedes were the result of the anarchy and political demoralization which had taken deep root in Poland. It was the treachery of the former Polish sub-Chancellor Radzieyevski that brought the Swedes into Poland, and the cowardice of the Shlakhta hastily surrendered the cities of Posen, Kalish, Cracow, and Vilna, to the enemy. Moreover the Swedes were welcomed by the Polish Protestants and Calvinists, who looked for their rescue to the northern Protestant power in the same way in which the Cossacks expected their salvation from Orthodox Russia.

The Jews were the only ones who had no political advantage in betraying their country, and their friendly attitude towards the Swedes no more than corresponded to the conduct of the Swedes towards them. At any rate, their patriotism was no more open to suspicion than that of the Poles themselves, who joined the power of Sweden to get rid of the yoke of Muscovy. Nevertheless, the Jews had to pay a terrible price for this lack of patriotism. They found themselves, in the words of a contemporary chronicler, in the position of a man who "fleeth from a lion, and is met by a bear."[1] The Jews who had been spared by the Swedes were now annihilated by the patriotic Poles, who charged them with disloyalty. The bands of Polish irregulars, which had been organized in 1656, under the command of General Charnetzki, to save the country from the invader, vented their fury upon the Jews in all the localities which they wrested from the Swedes.

The massacre of Jews began in Great and Little Poland, without yielding in point of barbarism to the butcheries which,

[1 Allusion to Amos v. 19.]

eight years previously, had been perpetrated in the Ukraina. The Polish hosts of Charnetzki had learned from the Cossacks the art of exterminating the Jews. Nearly all the Jewish communities in the province of Posen, excepting the city of Posen, and those in the provinces of Kalish, Cracow, and Piotrkov, were destroyed by the saviors of the Polish fatherland. The brutal and wicked Charnetzki, to use the epithets applied to him by the Jewish annalists, or, to be more exact, the Polish mob marching behind him, committed atrocities which were truly worthy of the Cossacks. They tortured and murdered the rabbis, violated the women, killed the Jews by the hundreds, sparing only those who were willing to become Catholics. These atrocities were as a rule committed in the wake of the retreating Swedes, who had behaved like human beings towards the Jewish population. The humaneness shown by the Swedes to the Jews was avenged by the inhumanity of the Poles.

While the bands of Charnetzki were attacking the Jews in Western Poland, the Muscovites and Cossacks continued to disport themselves in the eastern districts and in Lithuania. Not until 1658 did the horrors of warfare begin gradually to subside, and only after terrible losses and humiliating concessions to Russia and Sweden was Poland able to restore its political order, which had been shaken to its foundation during the preceding years.

The losses inflicted upon the Jews of Poland during the fatal decade of 1648-1658 were appalling. In the reports of the chroniclers the number of Jewish victims varies between one hundred thousand and five hundred thousand. But even if we accept the lower figure, the number of victims still remains colossal, excelling the catastrophes of the Crusades and

the Black Death in Western Europe. Some seven hundred Jewish communities in Poland had suffered massacre and pillage. In the Ukrainian cities situated on the left banks of the Dnieper, the region populated by Cossacks, in the present Governments of Chernigov, Poltava, and part of Kiev, the Jewish communities had disappeared almost completely. In the localities on the right shore of the Dnieper or in the Polish part of the Ukraina as well as in those of Volhynia and Podolia, wherever the Cossacks had made their appearance, only about one-tenth of the Jewish population survived. The others had either perished during the rebellion of Khmelnitzki, or had been carried off by the Tatars into Turkey, or had emigrated to Lithuania, the central provinces of Poland, or the countries of Western Europe. All over Europe and Asia Jewish refugees or prisoners of war could be met with, who had fled from Poland, or had been carried off by the Tatars, and ransomed by their brethren. Everywhere the wanderers told a terrible tale of the woes of their compatriots and of the martyrdom of hundreds of Jewish communities.

An echo of all these horrors resounds in contemporary chronicles and mournful synagogue liturgies. One of the eye-witnesses of the Ukraina massacres, Nathan Hannover, from Zaslav, gives a striking description of it in his historical chronicle *Yeven Metzula*[1] (1653). Sabbatai Kohen, the famous scholar of Vilna,[2] brought this catastrophe to the notice of the Jewish world through a circular letter, entitled *Meghillath Efa*,[3] which was accompanied by prayers in memory of the

[1 "Mire of the Deep," from Ps. lxix. 3.—The Hebrew word *Yeven* is a play on *Yavan*, "Greek," a term generally applied to the Greek Orthodox.]

[2 See p. 130.]

[3 "Scroll of Darkness" (comp. Amos iv. 13), with a clever allusion to the similarly sounding words in Zech. v. 1.]

Polish martyrs. In heartrending liturgies many contemporary rabbis and writers, such as Lipman Heller, Rabbi of Cracow, Sheftel Horovitz, Rabbi of Posen, the scholars Meïr of Shchebreshin[1] (*Tzok ha-'Ittim*,[2] 1650) and Gabriel Shussberg (*Petah Teshuba*,[3] 1653), lament the destruction of Polish Jewry. All these writings are pervaded with the bitter consciousness that Polish Jewry would never recuperate from the blows it had received, and that the peaceful nest in which the persecuted nation had found a refuge was destroyed forever.

4. The Restoration (1658-1697)

Fortunately these apprehensions proved to be exaggerated. Though decimated and impoverished, the Jewish population of Poland exceeded in numbers the Jewish settlements of Western Europe. The chief center of Judaism remained in Poland as theretofore, though it became the center of a more circumscribed and secluded section of Jewry. The extraordinary vitality of the "eternal people" was again demonstrated by the fact that the Polish Jews were able, in a comparatively short time, to recover from their terrible losses. No sooner had peace been restored in Poland than they began to return to their demolished nests and to re-establish their economic position and communal self-government, which had been so violently shaken. King John Casimir, having resumed the reins of government, declared that it was his inmost desire to compensate his Jewish subjects, though it be only in part, for the sufferings inflicted upon them and to assist them in recuperating from material ruin. This declaration the King made in the

[1] In Polish *Szczebrzeszyn*, a town in the region of Lublin.]
[2] "Troublous Times," allusion to Dan. ix. 25.]
[3] "Door of Repentance."]

form of a charter bestowing the right of free commerce upon the Jews of Cracow (1661). Various privileges, as well as temporary alleviations in the payment of taxes, were conferred by him upon numerous other Jewish communities which had suffered most from the horrors of the Cossacks and the invasions of the Russians and Swedes.

It goes without saying that all this could only soften the consequences of the terrible economic crisis, but could not avert them. The crisis left its sad impress particularly upon the South, which had been the scene of the Cossack rebellion. As far as the Ukraina was concerned, peace was not completely restored for a long time. By the Treaty of Andrusovo, of 1667, Poland and Muscovy divided the province between them: the portion situated on the right bank of the Dnieper (Volhynia and Podolia) remained with Poland, while the section on the left bank of the same river, called Little Russia (the region of Poltava, Chernigov, and part of the district of Kiev, including the city of the same name), was ceded to Muscovy. However, in consequence of the party dissensions which divided the ranks of the Cossacks, and made their various hetmans gravitate now towards the one, now towards the other, of the sovereign powers, the Ukraina continued for a long time to be an apple of discord between Poland, Russia, and Turkey. This agitation handicapped alike the agricultural pursuits of the peasants and the commercial activities of the Jews. In Little Russia the Jews had almost disappeared, while in the Polish Ukraina they had become greatly impoverished. The southwestern region, where the Jews had once upon a time lived so comfortably, sank economically lower and lower, and gradually yielded its supremacy to the northwest, to Lithuania and White Russia, which had suffered comparatively little during

the years of unrest. The transfer of the cultural center of Judaism from the south to the north forms one of the characteristic features of the period.

Michael Vishniovetzki (1669-1673), who was elected King after John Casimir, extended his protection to the Jews by virtue of family traditions, being a son of the hero Jeremiah Vishniovetzki, who had saved many a Jewish community of the Ukraina during the sinister years of the Cossack mutiny. At the Coronation Diet[1] Vishniovetzki ratified the fundamental privileges of the Polish and Lithuanian Jews, "as far as these privileges are not in contradiction with the general laws and customs." This ratification had been obtained through an application of the "general syndic of the Jews," Moses Markovich,[2] who evidently acted as the spokesman of all the Kahals of the ancient provinces of Poland. The benevolent intentions of the King were counteracted by the Diets, which, controlled by the clergy and Shlakhta, issued restrictive laws against the Jews. The Diet of Warsaw held in 1670 not only limited the financial operations of Jewish capitalists by fixing a maximum rate of interest (20%)[3]—this would have been perfectly legitimate—but also thought it necessary to restore the old canonical regulations forbidding the Jews to keep Christian domestics or to leave their houses during the Church processions. In these Diet regulations, particularly in their tone and motivation ("in order that the perfidy and self-will of the Jews should not gain the upper hand," etc.), one cannot fail to perceive the venom of the Catholic clergy, which once more

[1 See p. 98, n. 1.]

[2 *I. e.* son of Mark, or Mordecai. On "syndics" see p. 111, n. 2.]

[3 Twenty per cent was the legalized rate of interest in Italy at the end of the fifteenth century. See Israel Abrahams, Jewish Life in the Middle Ages, p. 242.]

engaged in its old *métier* of slandering the Jews, charging them with hostility to the Christians and with the desecration of Church sacraments.

The influence of these Church fanatics upon the Polish schools, coupled with the general deterioration of morals as a result of the protracted wars, was responsible for the recrudescence, during that period, of the ugly street attacks upon the Jews by the students of the Christian colleges, the so-called *Schülergeläuf*. These scholastic excesses now became an everyday occurrence in the cities of Poland. The riotous scholars not only caused public scandals by insulting Jewish passers-by on the street, but frequently invaded the Jewish quarters, where they instituted regular pogroms. Most of these disorders were engineered by the pupils of the Academy of Cracow and the Jesuit schools in Posen, Lemberg, Vilna, and Brest.

The local authorities were passive onlookers of these savage pranks of the future citizens of Poland, which occasionally assumed very dangerous forms. In order to protect themselves from such attacks many Jewish communities paid an annual tax to the rectors of the local Catholic schools, and this tax, which was called *kozubales,* was officially recognized by the "common law" then in use. However, even the ransom agreed upon could not save the Jews of Lemberg from a bloody pogrom. The pupils of the Cathedral school and the Jesuit Academy of that city were preparing to storm the Jewish quarter. Having learned of the intentions of the rioters, the Jewish youth of Lemberg organized an armed self-defense, and courageously awaited the enemy. But the attack of the Christian students, who were assisted by the mob, was so furious that the Jewish guard was unable to hold its own. The

resistance of the Jews only resulted in exasperating the rioters, and the disorders took the form of a massacre. About a hundred Jewish dead, a large number of demolished houses, several desecrated synagogues, were the result of the barbarous amusement of the disciples of the militant Church (1664).

Of the medieval trials of that period two cases, one in Lithuania and the other in the Crown, stand out with particular prominence. The former took place in the little town of Ruzhany, in the province of Grodno, in 1657. The local Christians, who on their Easter festival had placed a dead child's body in the yard of a Jew, thereupon charged the whole community with having committed a ritual murder. The trial lasted nearly three years, and ended in the execution of two representatives of the Jewish community, Rabbi Israel and Rabbi Tobias. A dirge commemorating this event, composed by a son of one of the martyrs, contains a heartrending description of the tragedy.[1]

My enemies have arisen against me, and have spread their nets in the shape of a false accusation in order to destroy my possessions. They took dead bodies, slashed them, and spoke with furious cunning: Behold, the ill-fated Jews drink and suck the blood of the murdered, and feed on the children of the Gentiles. Three years did the horrible slander last, and we thought our liberation was near, but, alas, terrible darkness has engulfed us. Our sworn enemies dragged us before their hostile court. The evil-doers assembled in the week before the New Year, and turned justice into wormwood. A wily and wicked Gentile judged only by the sight of his eyes, without witnesses; he judged innocent and sinless people in order to shed pure blood. The horde of evil-doers pronounced a perverted verdict, saying: "Choose ye

[1] We quote the following in abbreviated form. [For the complete text see the article cited in the next note.]

[for execution] two Jews, such as may please you." A beautiful pair fell into their nets: Rabbi Israel and Rabbi Tobias, the holy ones, were singled out from among the community.[1] These men saw the glittering blade of the sword, but no fear fell upon them. They clasped each other's hands and swore to share the same fate. "Let us take courage, and let us prepare with a light heart to sacrifice ourselves. Let us become the lambs for the slaughter; we shall surely find protection under the wings of God." On the sixth day these holy men were led out to execution, and an altar was erected. The wrath of the Lord burst forth in the year of "Recompense," [2] on the festival of Commemoration [New Year]. The bitterness of death was awaiting [the martyrs] in the midst of the market-place. They confessed their sins, saying: "We have sinned before the Lord. Let us sanctify His name like Hananiah, Mishael, and Azariah." They turned to the executioner, saying: "Grant us one hour of respite, that we may render praise unto the Lord." The lips of the impure, the false lips of those who pursue the wind and worship corrupt images, came to tempt them with strange beliefs,[3] but the holy men exclaimed: "Away, ye impure! Shall we renounce the living God, and wander after trees?" [4] The holy Rabbi Israel stretched forth his neck, and shouted with all his might: "Hear, O Israel, the Lord our God, the Lord is one." Thereupon the executioner stretched forth his hand to take the sword, and the costly vessel was shattered. When the holy Rabbi Tobias saw this loss, he exclaimed: "Blessed art thou, O Rabbi Israel, who hast passed

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[1] From the Hebrew text it is not clear whether they offered themselves voluntarily as victims, or whether they were picked out by others. According to the local tradition in Ruzhany, the former was the case. [See Dubnow in the Russian Jewish monthly *Voskhod*, July, 1903, p. 19, n. 1.]

[2] The corresponding word in Hebrew (שלומים), which is marked with dots in the original, represents the year of the event: [5]420 *aera mundi*, which equals 1659 C. E.

[3] *I. e.* they tried to convert the martyrs to Catholicism.

[4] Allusion to Judges ix. 9, where the English version translates differently. The Hebrew word for "tree" also signifies "wood," and is used in polemic literature for "cross."]

first into the Realm of Light. I follow thee." He too exclaimed: "Hear, O Israel, who art guarded [by God] like the apple of the eye." And he went forth to die in the name of the Lord, and [the executioner] slew him as he had slain the first.

Another tragedy took place in Cracow, in 1663. The educated Jewish apothecary Mattathiah Calahora, a native of Italy who had settled in Cracow, committed the blunder of arguing with a local priest, a member of the Dominican order, about religious topics. The priest invited Calahora to a disputation in the cloister, but the Jew declined, promising to expound his views in writing. A few days later the priest found on his chair in the church a statement written in German and containing a violent arraignment of the cult of the Immaculate Virgin. It is not impossible that the statement was composed and placed in the church by an adherent of the Reformation or the Arian heresy,[1] both of which were then the object of persecution in Poland. However, the Dominican decided that Calahora was the author, and brought the charge of blasphemy against him.

The Court of the Royal Castle cross-examined the defendant under torture, without being able to obtain a confession. Witnesses testified that Calahora was not even able to write German. Being a native of Italy, he used the Italian language in his conversations with the Dominican. In spite of all this evidence, the unfortunate Calahora was sentenced to be burned at the stake. The alarmed Jewish community raised a protest, and the case was accordingly transferred to the highest court in Piotrkov.[2] The accused was sent in chains to Piotrkov, together with the plaintiff and the witnesses. But the arch-Catholic tribunal confirmed the verdict of the lower court, ordering that

[1 See p. 91, n. 1.]
[2 See p. 96, n. 1.]

the sentence be executed in the following barbarous sequence: first the lips of the "blasphemer" to be cut off; next his hand that had held the fateful statement to be burned; then the tongue, which had spoken against the Christian religion, to be excised; finally the body to be burned at the stake, and the ashes of the victim to be loaded into a cannon and discharged into the air. This cannibal ceremonial was faithfully carried out on December 13, 1663, on the market-place of Piotrkov. For two centuries the Jews of Cracow followed the custom of reciting, on the fourteenth of Kislev, in the old synagogue of that city, a memorial prayer for the soul of the martyr Calahora.

There is evidently some connection between this event and the epistle sent by the General of the Dominican Order in Rome, Marini, to the head of the order in Cracow, dated February 9, 1664. Marini states that the "unfortunate Jews" of Poland had complained to him about the "wicked slanders" and accusations, the "sole purpose" of which was to influence the Diet soon to assemble at Warsaw, and demonstrate to it that "the Polish people hate the Jews unconditionally." He requests his colleagues in Cracow and the latter's subordinates "to defend the hapless people against every calumny invented against them." Subsequent history shows that the epistle was sent in vain.

The last Polish king who extended efficient protection to the Jews against the classes and parties hostile to them, was John III. Sobieski (1674-1696), who by his military exploits succeeded in restoring the political prestige of Poland. This King had frequent occasion to fight the growing anti-Semitic tendencies of the Shlakhta, the municipalities, and the clergy. He granted safe-conducts to various Jewish communities, protecting their "liberties and privileges," enlarged their sphere

of self-government, and freed them from the jurisdiction of the local municipal authorities. In 1682 he complied with the request of the Jews of Vilna, who begged to be released from the municipal census. The application was prompted by the fact that a year previously they had been induced by the magistracy of Vilna, which assured them of complete safety, to go outside the town where the census of the Jews and the Christian trade-unions was taken. But no sooner had the Jews left the confines of the city than the members of the trade-unions and other Christian inhabitants of Vilna began to shoot at them and rob them of their clothes and valuables. The Jews would have been entirely annihilated, had not the pupils of the local Jesuit college taken pity on them, and rescued them from the fury of the mob. While the riot was in progress, the magistracy of Vilna not only failed to defend the Jews, but even looked on at the proceedings "with great satisfaction."

It is necessary to point out that such manifestation of humaneness on the part of the Polish college youth was a rare phenomenon, indeed. As a rule, the students themselves were the initiators of the "tumults" or disorders in the Jewish quarter, and the scholastic riots referred to previously did not cease even under John Sobieski. The pupils of the Catholic academy in Cracow made an attack upon the Jews because of their refusal to pay the so-called *kozubales,* the scholastic tax which had been agreed upon between the Jews and the Christian colleges (1681-1682). In 1687 the tumultuous scholars, this time in Posen, were joined by the street mob, and for three consecutive days the Jews had to defend themselves against the rioters with weapons in their hands. The national Polish Diets condemned these forms of violence, and in their "constitutions" guaranteed to the Jews inviolability of person and

property, particularly when they found it necessary to raise the head-tax or impose special levies upon the Jews.

In reality the only defender of the Jews was the King. At his court appeared the "general syndics," or spokesmen of the Jewish communities, and presented various applications, which John Sobieski was ready to grant as far as lay in his power. This humane attitude towards the "infidels" was on more than one occasion held up against him at the sessions of the Senate [1] and the Diets. At the Diet held in Grodno in 1693 the enemies of the court brought charges against the Jew Bezalel, a favorite of the King and a royal tax-farmer, accusing him of desecrating the Christian religion, embezzling state funds, and other crimes. After passionate debates, John Sobieski insisted that Bezalel be allowed to clear himself by oath of the charge of blasphemy, while the other accusations were disposed of by the chancellor of the exchequer.

During the reign of John Sobieski Polish Jewry fully recuperated from the terrible ravages of the previous epoch. Under his successors its position became more and more unfavorable.

5. Social and Political Dissolution

The process of disintegration which had seized the feudal and clerical structure of the Polish body politic assumed appalling proportions under the kings of the Saxon dynasty, Augustus II. and Augustus III. (1697-1763). The political anarchy, which, coupled with the failures in the Swedish war at the beginning of the eighteenth century, surrendered Poland into the

[1 The Senate formed the upper chamber of the Polish parliament.]

hands of rejuvenated Russia under Peter the Great, was only the external manifestation of the inner decay of the country, springing from its social order, which was founded on the arbitrariness of the higher and the servitude of the lower estates.[1] In a land in which every class had regard only for its own selfish interests, in which the Diets could be broken up by the whim of a single deputy (the so-called *liberum veto*), the Government did not concern itself with the common weal, but pursued its narrow bureaucratic interests. In these circumstances the Jews, being oppressed by all the Polish estates, were gradually deprived of their principal support, the authority of the king, which had formerly exercised a moderating influence upon the antagonism of the classes. True, at the Coronation Diets of Augustus II. and Augustus III. the old Jewish privileges were officially ratified, but, in consequence of the prevailing chaos and disorder, the rights, confirmed in this manner, remained a scrap of paper. Limited as these rights were, their execution depended on the constant watchfulness of the supreme powers of the state and on their readiness to defend these rights against the encroachments of hostile elements. As a matter of fact, the heedless "Saxon kings," being neglectful of the general interests of the country, had no special reason to pay attention to the interests of the Jews. The only concern of the Government was the regular collection

[1] In the "Political Catechism of the Polish Republic," published in 1735, we read the following: "Who is it in this vast country that engages in commerce, in handicrafts, in keeping inns and taverns?"—"The Jews." . . . "What may be the reason for it?"—"Because all commerce and handicrafts are prohibited to the Shlakhta on account of the importance of this estate, just as sins are prohibited by the commandments of God and by the law of nature."—"Who imposes and who pays the taxes?"—"The taxes are imposed by the nobility, and they are paid by the peasant, the burgher, and the Jew."

of the head-tax from the Kahals. This question of taxation was discussed with considerable zeal at the "pacific" Diet of 1717, which had been convened in Warsaw for the purpose of restoring law and order in the country, sorely shaken by the protracted war with the Swedish king Charles XII. and the inner anarchy accompanying it. Despite the fact that the Jews had been practically ruined during that period of unrest, the amount of the head-tax was considerably increased.

The local representatives of the Government, the voyevodas and starostas,[1] whose function was to defend the Jews, frequently became the most relentless oppressors of the people under their charge. These provincial satraps looked upon the Jewish population merely as the object of unscrupulous extortion. Whenever in need of money, the starostas resorted to a simple contrivance to fill their pockets: they demanded a fixed sum from the local Kahal, and threatened, in case of refusal, imprisonment and other forms of violence. All they had to do was to send to jail some member of the Jewish community, preferably a Kahal elder or an influential representative, and the Kahal was sure to pay the demanded sum. Occasionally this well-calculated exploitation was relieved by the aimless mockery of these despots, who were unable to restrain their savage instincts. Thus the Starosta of Kaniev, in the Polish Ukraina, desiring to compensate a neighboring landowner for the murder of his Jewish arendar, gave orders to load a number of Jews upon a wagon, who were thereupon carried to the gates of his injured neighbor and thrown down there like so many bags of potatoes. The same Starosta allowed himself the following "entertainment": he would order Jewish women to climb an apple-tree and call like cuckoos. He

[1 See above, p. 46, n. 1, and p. 60, n. 1.]

would next bombard them with small shot, and watch the unfortunate women fall wounded from the tree, whereupon, laughing merrily, he would throw gold coins among them.

The most powerful estate in the country, the liberty-loving, or, more correctly, license-loving Shlakhta, protected the Jews only when in need of their services. Claiming for himself, in his capacity as slaveholder, the toil of his peasants, the pan laid equal claim to the toil of the Jewish business man and arendar who turned the rural products of his master and the right of "propination," or liquor-selling, into sources of income for the latter. At one time the Polish landowners even made the attempt to enslave the Jews on their estates by legal proceedings. At the Diet of 1740 the deputies of the nobility brought in a resolution, that the Jews living on Shlakhta estates be recognized as the "hereditary subjects" of the owners of those estates. This monstrous attempt at transforming the rural Jews into serfs was rejected solely because the Government refused to forego the income from Jewish taxation, which in this case would flow into the pockets of the landowners.

Nevertheless the rural Jew was to all intents and purposes the serf of his pan. The latter exercised full jurisdiction over his Jewish arendar and "factor"[1] as well as over the residents on his estates in general. During the savage inroads, frequent during this period, of one pan upon the estate of another, the Jewish arendars were the principal sufferers. The meetings of the local Diets (or Dietines) and the conferences of the Shlakhta or the sessions of the court tribunals became fixed occasions for attacking the local Jews, for invading their synagogues and houses, and engaging, by way of amusement, in all

[1 More exactly, *faktor*, Polish designation for broker, agent, and general utility man.]

kinds of "excesses." The Diet of 1717 held in Warsaw protested against these wild orgies, and threatened the rioters and the violators of public safety with severe fines. The "custom" nevertheless remained in vogue.

As far as the cities are concerned, the Jews were engulfed in endless litigation with the Christian merchant guilds and trade-unions, which wielded a most powerful weapon in their hands by controlling the city government or the magistracy. Competition in business and trade was deliberately disguised beneath the cloak of religion, for the purpose of inciting the passions of the mob against the Jews. The Christian merchants and tradesmen found an enthusiastic ally in the Catholic clergy. The seed sown by the Jesuits yielded a rich harvest. Religious intolerance, hypocrisy, and superstition had taken deep root in the Polish people. Religious persecution, directed against all "infidels," be they Christian dissidents or Jews "who stubbornly cling to irreligion," was one of the mainsprings of the inner politics of Poland during its period of decay.

The enactments of the Catholic synods are permeated by malign hatred of the Jews, savoring of the spirit of the Middle Ages. The Synod of Lovich held in 1720 passed a resolution "that the Jews should nowhere dare build new synagogues or repair old ones," so that the Jewish houses of worship might disappear in the course of time, either from decay or through fire. The Synod of 1733 held in Plotzk repeats the medieval maxim, that the only reason for tolerating the Jews in a Christian country is that they might serve as a "reminder of the tortures of Christ and, by their enslaved and miserable position, as an example of the just chastisement inflicted by God upon the infidels."

6. A Frenzy of Blood Accusations

The end of the seventeenth century is marked by the frequency of religious trials, the Jews being charged with ritual murder and the desecration of Church sacraments. These charges were the indigenous product of the superstition and ignorance of the Catholic masses, but they were also used for propaganda purposes by the clerical party, which sometimes even took a direct hand in arranging the setting of the crime, by throwing dead bodies into the yards of Jews, and other similar contrivances. Such propaganda often resulted in the adoption of violent measures by the authorities or the mob against the alleged culprits, leading to the destruction of synagogues and cemeteries and sometimes culminating in the expulsion of the Jews.

The cases of ritual murder were tried by the highest court, the Tribunal of Lublin, and, owing to the zeal of the astute champions of the Church, frequently ended in the execution of entirely innocent persons. The most important trials of this kind, those of Sandomir (1698-1710), Posen (1736), and Zaslav (1747), were conducted in inquisitorial fashion.

The Sandomir case was brought about by the action of a Christian woman who threw the dead body of her illegitimate child into the yard of a Kahal elder, by the name of Berek,[1] thus giving the clergy a chance to engineer a ritual murder trial. The case passed through all the courts of law. It was greatly complicated by the fanatical agitation of the priest Stephen Zhukhovski, who brought two additional charges of ritual murder against the Jews of Sandomir, and published, on this occasion, a book full of hideous calumnies. The case having ended in the lower courts favorably for the Jews, Zhukhovski suc-

[1 Popular Polish form of the Jewish name *Baer*.]

ceeded in bringing about a new trial with the application of tortures and the whole apparatus of the Inquisition. He finally reached his goal. The Tribunal of Lublin sentenced the innocent Jewish elder to death; King Augustus II. ordered, in 1712, the expulsion of all Jews from Sandomir and the conversion of the synagogue into a Catholic chapel,[1] and the Catholic clergy placed a revolting picture in the local church representing the scene of the ritual murder.

To justify the miscarriage of justice, Father Zhukhovski and his accomplices induced a converted Jew, by the name of Serafinovich, who posed as a former Rabbi of Brest, and had testified at the Sandomir trial against the Jews, to write a book, entitled "Exposure of the Jewish Ceremonies before God and the World" (1716). The book, a mixture of a lunatic's ravings and an adventurer's unrestrained mendacity, centers around the argument, that the Jews use Christian blood in the discharge of a large number of religious and everyday functions. The Jews are alleged to smear the door of a Christian with such blood, to predispose the latter in favor of the Jews. The same blood put in an egg is given to newly-married couples during the marriage ceremony; it is mixed in the *matza* eaten on Passover. It is also used for soaking an incantation formula written by the rabbi, which is then placed under the threshold of a house, to secure success in business for the Jewish inmate. In a word, Christian blood is used by the Jews for every possible form of magic and witchcraft. To convict Serafinovich publicly of lying, the Jews challenged him to attend a disputation in Warsaw in the presence of bishops and rabbis. The disputation had been arranged to be held in the house of the widow of a high official, and both the

[1] The last order was subsequently repealed.

Jewish and Christian participants had arrived, but Serafinovich failed to appear at the meeting, where his trickery and ignorance would have been exposed. The refusal of the informer to attend the disputation was attested in an official affidavit. This fact did not prevent an anti-Semitic monk of Lemberg, by the name of Pikolski, from republishing Serafinovich's book twice (1758 and 1760) and using it as a tool to conduct a most hideous agitation against the Jews.

In the large Jewish community of Posen, the slanderous accusations against the Jews were the reflection of the inveterate hostility of the local Christian population. Towards the end of the seventeenth century the Carmelite order in Posen contrived a curious lawsuit against the Jews, alleging that following upon the desecration of the hosts in 1399 [1] the Jews had, by way of penance for their sacrilege, obligated themselves to accompany the Christian processions. The Jews denied the allegation, and the case dragged on for a number of years in various courts of law, with the result that, in 1724, the Jews had to pledge themselves to furnish the Carmelites with two pails of oil annually to supply the lamp burning in front of the three hosts in the church.

But the fanaticism of the Church was on the lookout for new victims, and it manifested itself in 1736 in another ritual murder trial, which lasted for four years. Everything was prearranged in accordance with the "rites" of the Church fanatics. The dead body of a Christian child was found in the neighborhood of the city. There was also found a Polish beggar-woman, who, under torture, confessed that she had sold the child to the elders of the Posen community. Arrests followed. The first victims were the preacher, or *darshan,* Arie-Leib

[1 See p. 55.]

Calahora, a descendant of the martyr Mattathiah Calahora,[1] an elder (*parnas,* or syndic) of the Jewish community, by the name of Jacob Pinkasevich (son of Phineas), and several other members of the Kahal administration. Further wholesale arrests were imminent, but many Jews fled from Posen, to save themselves from the fury of the inquisitors.

On the eve of his arrest, Calahora chose for the text of his Sabbath discourse the Biblical verse, "Who can count the dust of Jacob and the number of the fourth part (or quarter) of Israel? Let me die the death of the righteous!" (Numbers xxiii. 10). As if anticipating his end, the preacher explained the text as follows: "Who can count the dust and ashes of those that were burned and quartered for the faith of Israel?" While being led to jail, he addressed the crowd of Jews surrounding him with the following words: "At the hour of my death I shall not have around me ten Jews for prayer (*minyan*). Therefore recite with me for the last time the prayer *Borkhu* ('Praise the Lord of Praise!')." The forebodings of the preacher were justified. Neither he nor the elder survived the fiendish tortures of the cross-examination. While the preacher was tortured, his bones being broken and his body roasted on fire, the elder was compelled to hold a lamp in his hand to give light to the executioner. Covered with wounds and blood, in the stage of mortal agony, they were carried to their homes, where they died in the autumn of 1736.

The deputies of the Jewish community of Posen appealed to King Augustus III. against the cruelty and partiality of the municipal court, and succeeded in having the case transferred to a special judicial commission consisting of royal officials. Although the commission resorted equally to tortures during

[1 See pp. 164 and 165.]

the cross-examination, it was not able to wrest a confession from the innocent Jewish prisoners. Nevertheless, being convinced in advance of the correctness of the ritual libel, the judges sentenced them to be burned at the stake, together with the bodies of the preacher and elder, which had to be exhumed for this purpose (1737).

The sentence had first to be ratified by the King, and the Jewish representatives in Warsaw and Dresden, the latter city being the second capital of the King and the residence of the papal nuncio, employed every possible means to bring about a reversal of the judgment. It was difficult to influence Augustus III., the dull-witted monarch, who, in addition, was imbued with a goodly dose of anti-Semitism. But the noise caused by the trial at Posen and the pressure upon the King on the part of the Jewish bankers of Vienna, particularly the banking-house of Wertheimer, induced him to yield. After a prolonged interval and a second revision of the case by a royal commission, the King gave orders to free the Jews, who had languished in prison for four years (August, 1740). On this occasion he went out of his way to enjoin the magistracy of Posen not to resort to tortures in similar trials, but he could not refrain at the same time from prescribing to the Jews "rules of conduct" after the medieval pattern: not to pass too frequently beyond the boundaries of their ghetto (which had been preserved in Posen), not to associate with Christians, nor caress Christian children, nor keep Christian domestics, nor attend Christian patients, etc.

The favorable issue of the Posen trial was due to the fact that it took place in a large Jewish community, whose representatives were able to arouse the public opinion of Western Europe and secure the intervention of influential persons. But in the

distant corners of Poland, in the obscure Jewish communities of the country, the ritual murder trials were in the nature of ghastly nightmares. Such was the trial of Zaslav, a town in Volhynia, which originated in 1747 as the result of a fatal concatenation of events. In the springtime, when the snow was melting, the dead body of a Christian was found in a neighboring village, having been buried beneath the snow for a considerable time. It so happened that about the same time the functionaries of the Zaslav synagogue assembled in a neighboring Jewish inn, to celebrate the circumcision of the new-born son of the innkeeper. A peasant who chanced to pass by the inn informed the authorities that the Jews had been praying the whole night as well as eating and amusing themselves, and this suggested to the Bernardine monks of Zaslav that the celebration had some connection with ritual murder, the victim of which was the discovered dead body. The Jewish innkeeper, the Kahal elder, the *hazan* (cantor), the *mohel* (surgeon), and the beadle of the Zaslav synagogue, were indicted. The accused, in spite of dreadful tortures, reiterated that they had assembled to celebrate a circumcision. Only the youthful beadle Moyshe, crazed by the tortures, began to murmur something, repeating the words which were dictated to him by the accusers, though he afterwards withdrew the confession thus forced from him.[1] The accused were all sentenced to a monstrous death, possible only among savages. Some of the accused were placed on an iron pale, which slowly cut into their body, and resulted in a slow, torturous death. The others were treated with equal cannibalism; their skin was torn off in strips, their hearts cut out, their hands and feet amputated and nailed to

[1] According to another version, he expressed his willingness to embrace Christianity in order to escape death, but afterwards repented.

the gallows. The memorial prayer for these martyrs concludes with the Biblical words: "O earth, cover not thou their blood, and let their cry have no place, until the Lord shall look down from heaven!"

However, the cry of the Zaslav martyrs was drowned by the shouts of the new victims of the ritual murder myth, which transformed the Christians who consciously or unconsciously allowed themselves to be infected by its poison into cannibals.

The Zaslav trial was followed by an uninterrupted succession of ritual murder accusations, which in the course of fifteen years cropped up almost annually. The most revolting among them, from the point of view of the surrounding circumstances, were the trials of Dunaigrod[1] (1748), Pavolochi[2] and Zhytomir (1753), Yampol[3] (1756), Stupnitza, near Pshemyshl (1759), and Voislavitza[4] (1760). In the Zhytomir case, twenty-four Jews were accused of having participated in the murder of the peasant boy Studzienski. Exhausted by tortures and prompted by the desire to hasten their end, they confessed to a crime which they had not committed, and were sentenced to death. Eleven were flayed alive, while the others saved themselves from death by accepting baptism. An image of the alleged martyr Studzienski, in the shape of a figure covered with pins, was spread by the clergy all over the region, to intensify the hatred against the Jews. In Voislavitza, near Lublin, the whole Kahal was charged with the murder of a Christian boy for the purpose of squeezing out his blood and mixing it with the unleavened bread. The spiritual leaders and elders of the Jewish community were brought to court. One of the

[1 In Podolia.]
[2 In the province of Kiev.]
[3 In Volhynia.]
[4 Near Lublin.]

accused, the rabbi, committed suicide while in jail. The remaining four were sentenced to be quartered. Before the execution the priest, holding out the promise of leniency, induced the unfortunate Jews, who had been crazed by their tortures, to embrace Christianity. The leniency consisted in their being beheaded instead of being quartered.

Terrorized by these inquisitorial trials, the Jewish communities of Poland decided, in 1758, to send Jacob Zelig (or Selek)[1] to Rome as their spokesman, to obtain from Pope Benedict XIV. the promulgation of a bull forbidding these false accusations against the Jews. In the application submitted by Zelig it is pointed out that the life of the Jews of Poland had become intolerable, for "as soon as a dead body is found anywhere, at once the Jews of the neighboring localities are brought before the courts on the charge of murder for superstitious purposes." The application was turned over to Cardinal Ganganelli, subsequently Pope Clement XIV., who took up the matter very seriously, and suggested that the Papal Nuncio in Warsaw, Visconti, be instructed to submit a report of the recent ritual murder trials in Poland. When the report arrived, Ganganelli composed an elaborate memorandum, in which, as a result of his investigation of the whole history of the question, he demonstrated the falsehood of the ritual murder charges made against the Jews, which had been condemned by the popes in the Middle Ages, particularly by the bull of Innocent IV. of the year 1247.[2] In the judgment

[1] Another variant of the name is *Jelek*. [The latter form is declared to be incorrect by A. Berliner, *Gutachten Ganganelli's* (Berlin, 1888), p. 41.]

[2] Of all the accusations of this kind, the Cardinal recognizes the correctness of only two, the murder of Simon of Trent in 1475 and of Andreas of Brixen in 1462, adding, however, that even their death was not caused by the legendary Jewish ritual, but simply by Jewish "hatred against the Christians."

of Ganganelli all the recent Polish trials were devoid of any basis in fact, and the sentences pronounced by the courts revolting miscarriages of justice.

Ganganelli's memorandum was examined and approved by the Roman tribunal of the "Holy Inquisition," and submitted to the new Pope Clement XIII. The Pope instructed his nuncio in Warsaw to extend his protection to Zelig, the spokesman of the Jews, on his return to Poland. Subsequently the nuncio informed the Polish Prime Minister Brühl, that "the Holy See, having investigated all the foundations of this aberration, according to which the Jews need human blood for the preparation of their unleavened bread," had come to the conclusion that "there was no evidence whatsoever testifying to the correctness of that prejudice" (1763). King Augustus III. ratified in the same year the ancient charters of his predecessors, promising the Jews the protection of the law in all ritual murder cases. Yet it was not easy to eradicate the prejudices which had been implanted in the minds of the people. Even the educated classes did not escape their contamination. The contemporary writer Kitovich, in describing Polish life during the reign of Augustus III., indulges in the following remark: "Just as the liberty of the Shlakhta is impossible without the *liberum veto,* so is the Jewish *matza* impossible without Christian blood."

7. The Massacre of Uman and the First Partition of Poland

Undermined by social and denominational strife, the once flourishing country was hastening to its ruin. From the election of Stanislav Augustus Poniatovski to the throne of Poland in 1764, Poland was to all intents and purposes under

the protectorate of Russia. Certain elements of Polish society began to realize that only by radical reforms could the country be saved from its impending doom. But it seemed as if the *régime* of social and religious fanaticism was too decrepit to pass its own death-sentence, and awaited its fate from another hand.

In the first years of Stanislav Augustus' reign Polish politics ran in their accustomed groove. Instead of endeavoring to effect a radical improvement in the condition of Polish Jewry as one of the most important elements of the urban population, the new Polish Government thought only of exploiting them as much as possible for the benefit of the exchequer. The Diet of 1764, which was held in Warsaw prior to the election of the King, and discussed the question of internal reforms, did not consider it necessary to introduce any changes in the status of the Jews, except to alter the system of Jewish taxation. Formerly the head-tax had been levied upon all Polish and Lithuanian Jews annually in a round sum, which the central Jewish agencies, the Waads, or Jewish Councils, apportioned among the separate Kahals, and the latter, in turn, allotted to the individual members of the communities. According to the new "constitution," however, the head-tax, to the extent of two gulden, was to be imposed on every Jewish soul, and each Kahal was to be held responsible for the accurate collection from its members. The only effect of this reform was to swell the total amount of the head-tax, which as it was weighed heavily upon the Jews, since many sources of livelihood were closed to them at the same time.

The Shlakhta in turn zealously watched over its class interests, and in electing the king imposed upon him the obligation of barring the Jews from the stewardship of crown

domains, state taxes, and other financial revenues. To gratify the hereditary competitors of the Jews—the Christian burghers and merchants—the Diet of 1768 restored the clause of the ancient parliamentary Constitution of 1538,[1] by virtue of which the Jews of those cities where they had not obtained special privileges were allowed to engage in commerce only with the consent of the magistracies, and the magistracies were made up of those same Christian merchants and burghers.

In the meantime, among the Russian population of that portion of the Ukraina which was situated on the right bank of the Dnieper, and was still under the sovereignty of Poland, a popular movement arose, which was directed simultaneously against the Poles and the Jews. It emanated from the lowest elements of the population, the enslaved village khlops, who had not yet forgotten the times of Bogdan Khmelnitzki. The memory of those days when the despised khlops waded in the blood of the proud Polish pans and the Jews was still fresh in the minds of the Ukrainians, and made itself felt in moments of political unrest, not infrequent in the disintegrating body politic of Poland. Fugitive Greek Orthodox peasants from among the serfs of the pans, itinerant Zaporozhians,[2] and Cossacks from the Russian part of the Ukraina, often organized themselves in independent detachments of haidamacks,[3] and indulged in looting the estates of the nobles or plundering the Jewish towns. These incursions assumed the character of regular insurrections during the interregnums and on other occasions of political unrest. Thus, in 1734 and in 1750, detachments of haidamacks, fully organized and led by Cossack commanders, devastated many towns and

[1 See p. 78.]
[2 See p. 143, n. 2.]
[3 A word of uncertain origin meaning "rebel" or "rioter." See p. 149.]

villages in the provinces of Kiev, Volhynia, and Podolia, slaying and robbing many pans and Jews.

The haidamack movement of 1768 was particularly furious. The Russian Government, which, beginning with the reign of Stanislav Poniatovski, was practically in control of the affairs of Poland, demanded that the "dissidents," the Greek Orthodox subjects of the country, be granted not only complete religious liberty, but also political equality. A considerable part of the Polish Shlakhta and clergy objected to these demands, and, seceding from the pro-Russian Government of Poland, formed the famous Confederacy of Bar,[1] for the defense of the ancient religious and political order of things against the encroachments of the foreigners. While the united royal and Russian troops were fighting against the Confederates, dissatisfaction was brewing among the Greek Orthodox peasants of the Polish Ukraina. Agitators from among the Orthodox clergy and the Zaporozhians instigated the peasants to rise for their faith against the Poles, who had formed the Confederacy of Bar for the annihilation of Greek Orthodoxy. A fictitious decree of the Russian Empress Catherine II., known as "the golden Charter," circulated among the people from hand to hand, giving orders "to exterminate the Poles and the Jews, the desecrators of our holy religion," in the Ukraina.

The new haidamack movement was headed by the Zaporozhian Cossack Zheleznyak. Beginning with the month of April of 1768, the rebellious hordes of Zheleznyak raged within the borders of the present Government of Kiev, murdering the pans and the Jews and devastating towns and estates. The haidamacks were wont to hang a Pole, a Jew, and a dog, on one tree, and to place upon the tree the inscription:

[1 A town in Podolia.]

"Lakh,[1] Zhyd,[2] and hound—all to the same faith bound." A terrible massacre of Jews was perpetrated by the haidamacks in the towns of Lysyanka and Tetyev, in the province of Kiev.

From there Zheleznyak's hordes moved towards Uman,[3] an important fortified town, whither, at the first rumor of the rebellion, tens of thousands of Poles and Jews had fled for their lives. The place was crowded with refugees to such an extent that the newly-arrived could find no room in the town itself, and had to camp in tents outside. Uman belonged to the estate of the Voyevoda of Kiev, a member of the famous Pototzki family, and was commanded by a governor called Mladanovich. Mladanovich had at his disposal a Cossack detachment of the court guard under the command of Colonel Gonta. Despite the fact that Gonta had long been suspected of sympathizing with the haidamacks, Mladanovich saw fit to dispatch him with a regiment of these court Cossacks against Zheleznyak, who was approaching the city. As was to be expected, Gonta went over to Zheleznyak, and on June 18, 1768, both commanders turned around and, at the head of their armies, marched upon Uman.

During the first day the city was defended by the Polish pans and the Jews, who worked shoulder to shoulder on the city wall, fighting off the besiegers with cannon and rifles. But not all Poles were genuinely resolved to defend the city. Many of them merely thought of saving their lives. Governor Mladanovich himself conducted peace negotiations with the haidamacks, and was reconciled by their assurances that they would not lay hands on the pans, but would be satisfied

[1] See p. 142, n. 1.]
[2] See p. 320, n. 2.]
[3] Pronounced *Oomañ*, with a soft sound at he end. In Polish the name is spelled *Humań*.]

with making short work of the Jews. When the haidamacks, headed by Gonta and Zheleznyak, had penetrated into the town, they threw themselves, in accordance with their promise, upon the Jews, who, crazed with terror, were running to and fro in the streets. They were murdered in beastlike fashion, being trampled under the hoofs of the horses, or hurled down from the roofs of the houses, while children were impaled on bayonets, and women were violated. A crowd of Jews to the number of some three thousand sought refuge behind the walls of the great synagogue. When the haidamacks approached the sacred edifice, several Jews, maddened with fury, hurled themselves with daggers and knives upon the front ranks of the enemy and killed a few men. The remaining Jews did nothing but pray to the Lord for salvation. To finish with the Jews quickly, the haidamacks placed a cannon at the entrance of the synagogue and blew up the doors, whereupon the murderers rushed inside, turning the house of prayer into a slaughter-house. Hundreds of dead bodies were soon swimming in pools of blood.

Having disposed of the Jews, the haidamacks now proceeded to deal with the Poles. Many of them were slaughtered in their church. Mladanovich and all other pans suffered the same fate. The streets of the city were strewn with corpses or with mutilated, half-dead bodies. About twenty thousand Poles and Jews perished during this memorable "Uman massacre."

Simultaneously smaller detachments of haidamacks and mutinous peasants were busy exterminating the Shlakhta and the Jews in other parts of the provinces of Kiev and Podolia. Where formerly the hordes of Bogdan Khmelnitzki had raged, Jewish blood was again flowing in streams, and the cries of

Jewish martyrs were again heard. But this time the catastrophe did not assume the same gigantic proportions as in 1648. Both the Polish and Russian troops co-operated in suppressing the haidamack insurrection. Shortly after the massacre of Uman, Zheleznyak and Gonta were captured by order of the Russian General Krechetnikov. Gonta with his detachment was turned over to the Polish Government, and sentenced to be flayed alive and quartered. The other haidamack detachments were either annihilated or taken prisoner by the Polish commanders.

In this way the Jews of the Ukraina became a second time the victims of typical Russian pogroms, the outgrowth of national and caste antagonism, which was rending Poland in twain. The year 1768 was a miniature copy of the year 1648. A commonwealth in which for many centuries the relationship between the various groups of citizens was determined by mutual hatred, could not expect to survive as an independent political organism. A country in which the nobility despised the gentry, and both looked down with contempt upon the calling of the merchant and the burgher, and enslaved the peasant, in which the Catholic clergy was imbued with hatred against the professors of all other creeds, in which the urban population persecuted the Jews as business rivals, and the peasants were filled with bitterness against both the higher and the lower orders—such a country was bound to perish. And Poland did perish.

The first partition of Poland took place in 1772, transferring the Polish border provinces into the hands of the three neighboring countries, Russia, Austria, and Prussia. Russia received the southwestern border province: the larger part of White Russia, the present Governments of Vitebsk and

Moghilev. Austria took the southwestern region: a part of present-day Galicia, with a strip of Podolia. Prussia seized Pomerania and a part of Great Poland, constituting the present province of Posen. The annexed provinces constituted nearly a third of Polish territory, with a population of three millions, comprising a quarter of a million Jews.[1] The great Jewish center in Poland enters into the chaotic "partitional period" (1772-1815). Out of this chaos there gradually emerges a new Jewish center of the Diaspora—that of Russia.

[1] According to the Polish census of 1764-1766 the number of Jews in Poland and Lithuania amounted during those years, on the eve of the partitions, to 621,000 souls.

CHAPTER VI

THE INNER LIFE OF POLISH JEWRY DURING THE PERIOD OF DECLINE

1. Jewish Self-Government

The fact that the Jews of Poland, despite the general disintegration of the country, where right was supplanted by privilege and liberty by license, were yet able to hold their own as an organized social unit, was principally due to that vast scheme of communal self-government which had become an integral part of Polish-Jewish life during the preceding period. Surrounded by enemies, ostracized by all other estates and social groups, Polish Jewry, guided by the instinct of self-preservation, endeavored to close its ranks and gather sufficient inner strength to offer effective resistance to the hostile non-Jewish world. One of the appeals issued in 1676 by the central organ of Polish Jewry, the "Council of the Four Lands," begins with these characteristic words:

> Gravely have we sinned before the Lord. The unrest grows from day to day. It becomes more and more difficult to live. Our people has no standing whatsoever among the nations. Indeed, it is a miracle that in spite of all misfortunes we are still alive. The only thing left for us to do is to unite ourselves in one league, held together by the spirit of strict obedience to the commandments of God and to the precepts of our pious teachers and leaders.

These sentences are followed by a set of paragraphs calling upon the Jews of Poland to obey without murmuring the mandates of their Kahals, to refrain from farming state taxes, from accepting the stewardship of Shlakhta estates,

and entering into business partnership with non-Jews without the permission of the Kahals, for the reason that such enterprises are bound to result in conflicts with the Christian population and in complaints on their part about the Jews. The Council also forbids "intrusting Jewish goods to strange hands," resorting to the intervention of the Polish authorities for purposes injurious to the interests of the community, generating schisms and party strife among Jews, and similar actions.

The rabbinical Kahal administration endeavored to impose its will upon every single member of the community by regulating his economic and spiritual life, and to prevent as far as possible his coming in contact with the outside world. The greatest assistance in this endeavor came from the Polish Government. Attaching great value to the Kahal as a convenient tool for the collection of Jewish taxes, the Government bestowed upon it vast administrative and judicial powers. The Government found it to its interest to deal with the Jewish communities rather than with individual Jews. The Kahal was held responsible by the Government for the action of every one of its members or for any inaccuracy of the latter in the payment of taxes. The Kahal extended its influence in proportion to its responsibility. This tutelage of the Kahal resulted in strengthening the social organization of the Jews, while it curbed at the same time the personal liberty of its members to a greater extent than was demanded even by the strictest social discipline.

As far as the Polish Government was concerned, the Kahal was particularly valued as a responsible collecting agency among the Jews on behalf of the exchequer. At the sessions of the Waads, the wholesale amount of the Jewish head-tax (desig-

nated as *gulgoleth* in the Jewish sources) was periodically fixed and apportioned among the Kahal districts. Within these Kahal districts as well as in the individual communities the apportionment of the taxes was the function of the local Kahal elders, who were in charge of the tax collection, and were held responsible for its being accurately remitted to the exchequer. In 1672 the King bestowed upon the Kahal elders of Lithuania the right of excluding from the community or of punishing by other measures those recalcitrant members of their Kahals who by their acts were likely to arouse the resentment of the Christian population against the Jews. Ten years later the Starosta of Brest issued a rescript forbidding the pans to lend money to private persons among the Jews without the knowledge of the Kahal elders. This was done in compliance with the request of these elders themselves, since they were held responsible for the insolvent debtors of their respective districts. On a previous occasion, at a conference of the representatives of the Lithuanian communities held in 1670, it was decided to prosecute every Jew who borrowed money from the pans or priests without the knowledge of their Kahal. The Voyevoda of Lemberg in 1692 forbade letting the collection of various state imposts, such as the excise on distilleries and retail sale of spirits, to Jews unless they produced a certificate of the Kahal elders testifying to their good conduct. The right of owning real estate or exploiting articles of revenue (leases and land-rent) was granted to private persons only with the permission of the Kahal (*hazaka*). Without this license and the payment of a special tax (*hezkath yishub*) no Jew was allowed to settle in a given locality or to enroll his name in the community.

The limits of Jewish communal autonomy were not precisely laid down by the law of the state. They were enlarged or contracted in accordance with the will of the provincial administration, the voyevodas and starostas,[1] and the agreements between these officials and the Kahals concerning their respective spheres of influence. The model of a free communal constitution may be found in the statute granted by the Voyevoda of Red Russia (Galicia) in 1692 to the central Kahal of Lemberg. This statute authorizes the Jewish community to hold periodic elections, to choose its elders "in accordance with its customs and rights," without the slightest interference on the part of the local administration. The chosen elders are recognized as the lawful officials and judges of their coreligionists in a given locality. Disputes and litigation between Jew and Jew are in the first instance to be settled exclusively by the Kahal court (*beth-din*), consisting of rabbis and elders, the latter acting as a jury. Cases between Jews and non-Jews as well as appeals from the decisions of the Beth-Din are to be tried by the voyevoda court and the special "Jewish judge" attached to it, the latter being a Christian official especially appointed for such cases. This judge is to be selected by the voyevoda from two candidates nominated by the Jewish elders. His function is to settle disputes and complaints "in a definite place near the synagogue" (in the "Kahal chamber"), in the presence of the Kahal elders. In his verdicts the "Jewish judge" is to be guided not only by the general laws of the state, but also by the Jewish common law. The regular sessions of the court are to take place twice a week. In special cases extra sessions may be arranged for on any day with the exception of the Jewish holidays. Subpoenas are

[1] See p. 46, n. 1, and p. 60, n. 1.]

issued through the synagogue beadle, or *shamash*.[1] The protocols of the court are to be kept in the Kahal chamber near the synagogue. The appeals from the judgments of this court are to be submitted to the voyevoda himself.

The elections of the various grades of Kahal elders[2] were held, as in former years, annually during the intermediate days of Passover. This custom had legal sanction, and was enforced by the local authorities. When, in 1719, the elders of the Kahal of Brest, prompted by personal considerations, were, in spite of the approach of Passover, delaying the holding of new elections, the Lithuanian hetman[3] sent an order from Vilna branding the act of the Kahal of Brest as illegal, on the ground that, "though obliged by law and custom to hold new elections of elders every Passover, they have not done so, delaying the elections for their own personal benefit."

The elections were indirect, taking place through a limited number of electors, and only persons of fairly high financial standing, such as house-owners or large tax-payers, were allowed to be candidates. As a matter of fact, intellectual qualifications were no less valued than financial standing, scholars occupying an honorable place in the communal council.

The Kahal administration was thus oligarchic in character. The lower and poorer classes had no representation in it, and, as a result, their interests frequently suffered. In the eighteenth century complaints, coming from the Jewish rank and file, are constantly heard about the oppression of the Kahal

[1 Generally pronounced *shammes*.]

[2 See p. 197.

[3 *I. e.* military commander. Originally the title is found among the Cossacks; see p. 143, n. 1.]

"bosses," about the inequitable apportionment of taxes, and similar abuses.

During the same period litigation between individual Kahals frequently arose concerning the boundaries of their respective districts. This litigation was due to the fact that the Jewish residents of the townlets and villages were subject to the jurisdiction of the nearest Kahal, whose income they helped to swell. Since, however, the Kahal districts had never been officially delimited, several Kahals would occasionally lay claim to the control of the neighboring townlets and settlements (called in Hebrew *sebiboth* and *yishubim,* and in the official language *prikahalki* [1]). Cases of this kind were brought either before the conferences of the District Kahals or the two central parliamentary institutions of Polish Jewry, the "Council of the Four Lands" and the "Council of the Principal Communities of Lithuania."

The centralization of Jewish self-government in these two Councils—that of the Crown and of Lithuania—was one of the main factors in stabilizing Jewish autonomy during that period of instability and disintegration. The meetings or Diets of these Councils, which were attended by the representatives of the Kahals and the rabbinate, afforded a regular opportunity for discussing the questions affecting the general welfare of the Polish Jews and for establishing well-defined relations with the Government and the Diets of the country. Attached to the Waads were special advocates (*shtadlans,* designated as "general syndics" in the Polish documents), who went to Warsaw during the sessions of the Polish Chamber for the purpose of submitting the necessary applications in defense of Jewish rights or of presenting the taxation lists of

[1 See p. 108, n. 1.]

the Jewish communities. The Waad of the Crown continued to meet periodically in Lublin, and Yaroslav (in Galicia), and occasionally in other places, while the Lithuanian Council assembled in different towns in Lithuania.

The activity of these central agencies of self-government was particularly intensified in the latter part of the seventeenth century, when the state of communal affairs, sorely shaken during the preceding period of unrest, had to be restored. The Government upheld the authority of the Waads in the eyes of the Jewish population, finding it more convenient to maintain relations with one or two central organizations than to deal with a large number of local agencies. In 1687 the "Jewish Elders of the Crown" (of Poland proper), acting on behalf of the Council at Yaroslav, lodged a complaint with King Sobieski, declaring themselves unable to assume the responsibility for the collection of the Jewish head-tax to the amount fixed by the preceding Polish Diet, owing to the fact that many Jews in the cities and villages, benefiting by the protection of the pans and even the royal officials, refused to acknowledge the jurisdiction of the "Elders of the Crown" and shirked their duty as tax-payers. In view of this, the King issued a decree condemning in strong terms "such interference and disorder," and enjoining the individual Kahals to submit to the apportionment of taxes by the Elders of the Crown, and altogether to acknowledge their jurisdiction in general Jewish affairs, under the pain of severe fines for the disobedient.

The gradual deterioration of social and economic conditions in Poland rendered the activities of the Waads more complicated. The Waads were now called upon to regulate also the inner affairs of the communities as well as their relations to the Government and the urban estates, the magistracies and guilds.

It cannot be said that the Waads exhibited on all occasions an adequate understanding of the political situation, or that they did full justice to the far-reaching demands of a truly popular representation. They were too little democratic in their composition to accomplish so large a task. The delegates to the Waads were not elected by the communities with this end in view, but were recruited from among the rabbis and elders of the principal communities, the notables and "influential men." However, in spite of their inadequate, oligarchic organization, the Waads were largely instrumental in unifying communal Jewish life and in enhancing discipline in Polish-Lithuanian Jewry.

One of the most important duties of the Waads was the maintenance of Jewish public schools, the Talmud Torahs and yeshibahs, which at communal expense imparted religious instruction primarily to poor children and youths. From the minutes of the Lithuanian Waad which have come down to us we learn of the fact that every one of its conferences placed at the head of its enactments a number of clauses providing for the obligatory instruction of the young in yeshibahs throughout the country, for the maintenance of the students by the various communities in cash and in kind, and for the formulation of the curricula and the statutes of all these institutions of learning. No wonder that the endeavors of the Waad were crowned with success, and that the intellectual level of the Jews of Lithuania was very high. It must be owned, however, that their mental horizon was not large, inasmuch as the whole course of study, even in the highest schools, was limited to the Talmud and rabbinic literature.

Furthermore, the Council of the Four Lands established a control over the books issued by the printing-presses of Cracow

and Lublin, or imported from abroad. Only such books were allowed to circulate as were supplied with a printed approbation, or *haskama,* of the Waad or some authoritative rabbis. Very frequently the Waad also intervened in the struggle of parties and sects which, as will be seen later,[1] followed the rise of the Sabbatian movement.

Many public functions which lay outside the sphere of activity of the central Waads were discharged by the local District conventions, or "Dietines" (*waade medinah,* or *waade galil*), the latter acting as the agencies of the Kahal federations of the given region. In official language these District federations were often designated as "synagogues." Especially prominent during this period were the "Volhynian Synagogue," *i. e.* the federation of the Kahals of Volhynia, and the "White Russian Synagogue," composed of the federated communities of the present Government of Moghilev. The former sent its representatives to the Council of the Four Lands, while the latter was affiliated with the Waad of Lithuania. The periodic conventions of these two "synagogues" not only decided the allotment of taxes within the Kahal districts, but also took up questions of a general character, such as the sending of advocates to the general Polish Diet, the instructions to be given to the deputies of the central Waads, the problem of Jewish education, the rabbinate, etc. Less noticeable was the activity of the Kahal federations of the three "Crown provinces": Little Poland with the central community of Cracow, Great Poland with Posen, and Red Russia with Lemberg. We know, however, that they too assembled periodically, either at the initiative of the Kahals themselves or by order of the voyevoda of a given province. These

[1] See pp. 204 *et seq.*

conventions or " Dietines " had their " floor leaders " or " marshals," after the pattern of the provincial Polish Diets. At least such was the insistent demand of the voyevodas, who preferred to transact their official business with the responsible leaders of the conferences. The interference of the administration in the affairs of the Jewish autonomous organization became particularly frequent in the first part of the eighteenth century, when political anarchy in Poland reached its climax.

The whole Kahal organization received a severe blow at the hands of the Polish Government in 1764. The General Confederacy which preceded the election of King Stanislav Augustus, having framed a new " constitution," decided to change fundamentally the system of Jewish taxation. Instead of the former procedure of fixing the amount of the head-tax *in toto,* and leaving its allotment to the Districts and individual communities to the conferences of the elders and Kahals, the Diet passed a resolution imposing a uniform tax of two gulden on every registered Jewish soul of either sex, beginning with the first year after birth. This change was justified on the ground that, in the opinion of the Government, the previous wholesale system of taxation enabled the Kahals to collect from the tax-payers a much larger sum than originally determined upon. Moreover, simultaneously with the head-tax other imposts were levied by the Kahals. This resulted in burdening the Jewish population and in hiding its true tax-paying capacity from the Government, while according to the new system the exchequer was likely to receive a much larger revenue.

To secure the accurate collection of the head-tax, a general registration of the Jewish population in the whole country was ordered. The taxes of each community were to be remitted by its Kahal elders to the nearest state treasury. In con-

sequence, the functions of the Kahals, as far as the apportionment of the taxes was concerned, were officially discontinued, and the Kahal elders became mere go-betweens, who handed over the tax revenues to the exchequer. The Government ceased to recognize the rôle of the Kahal as a fiscal agent, which it had formerly valued so greatly, and no more considered it necessary to uphold the authority of this autonomous organization. The whole machinery of Jewish self-government, all these Diets and Dietines, the Waads and District conferences, suddenly became superfluous, if not injurious, in the eyes of the Government. No wonder then that the same Diet of 1764 passed a resolution forbidding henceforth the holding of conventions of District elders for the fixation or distribution of any tax collections or for any other purpose.

This limitation of the activities of the Kahals and the entire abolition of the central agencies of Jewish autonomy took place on the eve of the abolition of political independence in Poland itself, eight years before its first partition. We shall see later that the subsequent period of unrest, marked by the transfer of the greater part of Polish territory to the dominion of Russia, introduced even greater disorder into the once so firmly consolidated autonomous organization of the Jews, and robbed the Jewish people of one of the mainstays of its national existence.

2. Rabbinical and Mystical Literature

The social and economic decline of the Polish Jews, which set in after 1648, was not conducive to widening the Jewish mental horizon, which had been sharply defined during the preceding epoch. Even at the time when Polish-Jewish culture was passing through its zenith, Rabbinism reigned supreme in

school and literature. Needless to say there was no chance for any broader intellectual currents to contest this supremacy during the ensuing period of decline. The only rival of Rabbinism, whose attitude was now peaceful and now warlike, was Mysticism, which was nurtured by the mournful disposition of a life-worn people, and grew into maturity in the unwholesome atmosphere of Polish decadence.

The intensive Talmudic culture, which had been fostered by many generations of rabbis and rosh-yeshibahs was not distributed evenly. In those parts of the country which had suffered most from the horrors of the "terrible decade" (1648-1658), in the Polish Ukraina, Podolia, and Volhynia, the intellectual level of the Jewish masses sank lower and lower. Talmudic learning, which was formerly widespread among the Jews of those provinces, now became the possession of a narrow circle of scholars, while the lower classes were stagnating in ignorance and superstition. A firmer position was still held by Rabbinism in Lithuania and in the original provinces of Poland. But here too the intellectual activity became pettier and poorer, not so much in quantity as in quality. It is still possible to enumerate a large number of names of great Talmudists and rabbis, who commanded the respect and admiration not only of the Jews of Poland but also of those outside of it. But in the domain of literary productivity these scholars did not leave so profound an impress on posterity as their predecessors, Solomon Luria, Moses Isserles, Mordecai Jaffe, and Meïr of Lublin.

Even within the narrow sphere of the rabbinic literary output originality was sadly missing. The "stars" of Rabbinism who were engaged in learned correspondence (*Shaaloth u-Teshuboth*) with one another were, as a rule, immersed in

fruitless controversies about complicated and petty cases of religious and legal practice, frequently degenerating into the discussion of questions which do not arise in real life. Others wrote diffuse hair-splitting commentaries and *novellae* (*hiddushim*) on various tractates of the Talmud, including those which had long lost all legal significance. Thus Aaron Samuel Kaidanover, Rabbi of Cracow, who had narrowly escaped the massacres of 1648, commented on the section dealing with the sacrifices and the ancient ritual of the temple in Jerusalem (*Birkhath ha-Zebah*[1]). Still others wrote annotations and supplements to the *Shulhan Arukh*.[2] Lithuania, in particular, excelled by the number of its celebrities in the field of rabbinic scholasticism, all men who refused to acknowledge any branch of secular and even religious knowledge outside the domain of Talmudic dialectics.

A rare exception among these scholars was Jehiel Halperin (ab. 1670-1746), rabbi of Minsk, who wrote an extensive historic chronicle under the name of *Seder ha-Doroth*, "The Order of the Generations." Halperin's work, which is divided into three parts, narrates in the first the events of Jewish history from Biblical times down to the year 1696. The second part enumerates, in alphabetical order, the names of all the Tannaim and Amoraim,[3] and cites the opinions and sayings attributed to each of them in the Talmud. The third part contains a list of authors and books of the post-Talmudic period. The ori-

[1 "Blessing of the Sacrifice," allusion to I Sam. ix. 13.]

[2 Compare *Be'er ha-Gola*, "Well of the Exiles," by Moses Rivkes, who fled from Vilna during the massacre of 1655; *Magen Abraham*, "Shield of Abraham" [allusion to Gen. xv. 1], by Abel Gumbiner, Rosh-Yeshibah in Kalish, whose parents perished during the time of unrest, and many others.

[3 Tannaim are the Talmudic authorities before 200 C. E.; Amoraim are those between that date and the conclusion of the Talmud, in 500 C. E.]

ginal contribution of Halperin consists in his having systematized the extremely complicated material, and rendered it available for a characterization of the Talmudic rabbis. In all else he merely copied earlier chroniclers, particularly David Gans,[1] without any attempt at a critical analysis. He even fails to render account of such important events of his own time as the Messianic movement of Sabbatai Zevi. The essence of history to him is identical with the genealogies of scholars, saints, and rabbis; the only reason for existence which in his judgment historiography may claim is to serve as the handmaid of Rabbinism. Even this outlook upon history, narrow though it be, was entirely foreign to Halperin's contemporaries.

Side by side with the scholastic literature of Rabbinism flourished popular ethical literature (*musar*[2]). Its originators were the preachers (*darshanim*), some of whom occupied permanent posts attached to synagogues, while others wandered about from town to town. The synagogue sermons of that period, which have come down to us in various collections,[3] consist of a long string of Haggadic and Cabalistic quotations, by means of which the Biblical texts are given an entirely perverted meaning. The preachers were evidently less anxious to instruct their audience than to exhibit their enormous erudition in theological literature. Some of these preachers en-

[1] Died 1613. Author of the Hebrew chronicle *Tzemaḥ David*, "Branch of David."]

[2] The word originally means "chastisement" (generally by the father). It then signifies instruction, particularly ethical instruction.]

[3] Such as *'Amudeha Shivah* ["Her Seven Pillars," allusion to Prov. ix. 1], by Bezalel of Kobrin, 1666; *Maor ha-katon* ["The Lesser Light," allusion to Gen. i. 16], by Meïr of Tarnopol, 1697; *Nethib ha-Yashar*, "The Right Path," by Naphtali of Minsk, 1712, and many others.

deavored in particular to foist upon the people the notions of the "Practical Cabala."[1] The "secret" writings of Ari[2] and his school were circulated in Poland in manuscript copies, which went from hand to hand. The ideas embodied in the Cabalistic doctrine of Ari were popularized in the shape of "gruesome stories" concerning life after death, the tortures of the sinners in hell, the transmigration of souls, and the exploits of demons.

The books which endeavored to inculcate piety among the masses by means of these stories became rapidly popular. Towards the end of the seventeenth century, the Cabalist Joseph Dubno wrote a work in this spirit under the title *Yesod Yoseph,* "Foundation of Joseph." Prior to its publication, Dubno's work was utilized by Hirsch Kaidanover, a son of the above-mentioned rabbi of Cracow, Aaron Samuel Kaidanover,[3] and issued by him in an improved and amplified version in Frankfort-on-the-Main, in 1705, under the name *Kab ha-Yashar,* "The Just Measure." A few years later the book was published also in the Yiddish vernacular, and became a great favorite among the lower classes as well as among women.

The *Kab ha-Yashar* breathes a spirit of gloomy asceticism, and is expressive of a funereal frame of mind. "O man,"—the author exclaims—"wert thou to know how many demons thirst for thy blood, thou wouldst abandon thyself entirely, with heart and soul, to Almighty God!" The air, according to the doctrine preached in this book, is filled with the invisible spirits of the dead who can find no rest in the other world, and teems with the wandering shadows of sinners and demons,

[1] See p. 134, n. 3.]
[2] See p. 134, n. 4.]
[3] See p. 200.

who frequently slip into living beings and force them to rage like madmen. Scores of "reliable" stories are quoted, telling of the conflicts between men and demons and of the exploits of miracle-workers who have exorcised the evil spirits by means of incantations.

Prominent among these stories is an account of the expulsion of devils from a house in Posen, which produced a great sensation at the time. Evil spirits had been constantly haunting the inhabitants of the house. At first they sought advice of the local Jesuit priests. When the remedy employed by the latter proved of no avail, the inhabitants invited the famous magician and miracle-worker Joel Baal-Shem [1] from Zamoshch.[2] The miracle-worker subjected the demons to a regular cross-examination, demanding an explanation why they refused to abandon the ill-fated house. At the cross-examination the demons argued that the house was theirs by inheritance, inasmuch as they were the legitimate children of the former owner of the house, a Jewish artisan who had had relations with a female devil. As a result, a conference of the rabbis of Posen was held in the presence of the above-mentioned miracle-worker, and their verdict was that the demons had no claim to immovable property in places populated by human beings, but were limited in their right of residence to forests and deserts.

Such was the spiritual pabulum on which the Jewish masses were fed by their leaders. A writer of the beginning of the eighteenth century makes the observation, that "there is no country where the Jews are so much given to mystical fancies, devil hunting, talismans, and exorcism of evil spirits, as they

[1 On the meaning of the name see p. 223, n. 1.]
[2 In Polish, *Zamość*, a town in the region of Lublin.]

are in Poland." The demand brought forth a supply, and even the celebrated rabbis frequently devoted themselves to Cabalistic exercises. One of these was the Rabbi of Ostrog and Posen, Naphtali Cohen (1640-1719), of whom the following curious incident is related. After settling in Frankfort-on-the-Main, he made the people believe that he had discovered a magic formula against fire. As luck would have it, a fire broke out in his own house, and destroyed a considerable part of the Jewish quarter. The ill-fated Cabalist was sent to jail on the charge of careless handling of fire during his pyrotechnic experiments (1711). After his release from prison Naphtali Cohen led the life of a wanderer, entering into suspicious relations with Hayyun, the notorious emissary of the Sabbatian sect, though afterwards, when Hayyun's heresy had been unmasked in Amsterdam, he renounced all connection with the heretic. During the contest which for many years was waged by Emden against Eibeshütz and his mysterious talismans,[1] the majority of Polish rabbis sided with Eibeshütz. Evidently they found nothing objectionable in the attempt to cure diseases by means of cabalistically inscribed talismans.

3. The Sabbatian Movement

The mystical and sectarian tendencies which were in vogue among the masses of Polish Jewry were the outcome of the Messianic movement, which, originated by Sabbatai Zevi in 1648, spread like wildfire throughout the whole Jewish world. The movement made a particularly deep impression in Poland, where the mystical frame of mind of the Polish-Jewish masses offered a favorable soil for it. It was more than a

[1 See on this controversy Grätz's History, English translation, v. 257 f.]

mere coincidence that one and the same year, 1648, was marked by the wholesale murder of the Jews of the Ukraina and the first public appearance of Sabbatai Zevi in Smyrna. The thousands of Jewish captives, who in the summer of that terrible year had been carried to Turkey by the Tatar allies of Khmelnitzki and ransomed there by their coreligionists, conveyed to the minds of the Oriental Jews an appalling impression of the destruction of the great Jewish center in Poland. There can be no doubt that the descriptions of this catastrophe deeply affected the impressionable mind of Sabbatai, and prepared the soil for the success of the propaganda he carried on during his wanderings in Turkey, Palestine, and Egypt.

When, in the year 1666, the whole Jewish world resounded with the fame of Sabbatai Zevi as the Messianic liberator of the Jewish people, the Jews of Poland responded with particularly keen, almost morbid sensitiveness.

The Jews—says the contemporary Ukrainian writer Galatovski—triumphed. Some abandoned their houses and property, refusing to do any work and claiming that the Messiah would soon arrive and carry them on a cloud to Jerusalem. Others fasted for days, denying food even to their little ones, and during that severe winter bathed in ice-holes, at the same time reciting a recently-composed prayer. Faint-hearted and destitute Christians, hearing the stories of the miracles performed by the false Messiah and beholding the boundless arrogance of the Jews, began to doubt Christ.

From the South, the Sabbatian agitation penetrated to the North, to distant White Russia. We are informed by a contemporary monastic chronicler, that on the walls of the churches in Moghilev on the Dnieper mysterious inscriptions appeared proclaiming the Jewish Messiah "Sapsai."

In the course of the eventful year in which the whole Jewish world raved about the coming of the Messiah and deputations arrived from all over the Jewish world at the "Castle of Splendor," Sabbatai's residence in Abydos, near Constantinople, a delegation was also dispatched by the Jews of Poland. In this delegation were included Isaiah, the son of David Halevi, the famous rabbi of Lemberg, author of the Taz,[1] and the grandson of another celebrity, Joel Sirkis.[2] The Polish delegates were sent, as it were, on a scouting expedition, being instructed to investigate on the spot the correctness of the rumors concerning the Messianic claims of Sabbatai.

When, in the summer of 1666, they were presented to Sabbatai at Abydos, they were deeply impressed by the sight of the thousands of enthusiastic admirers who had come from all possible countries to render homage to him. Sabbatai handed the Polish delegates an enigmatic letter, addressed to the Rabbi of Lemberg:

> On the sixth day after the resuscitation of my spirit and light, on the twenty-second of Tammuz . . . . I herewith send a gift to the man of faith, the venerable old man, Rabbi David of the house of Levi, the author of *Ture Zahab*—may he flourish in his old age in strength and freshness! Soon will I avenge you and comfort you, even as a mother comforteth her son, and recompense you a hundredfold [for the sufferings endured by you]. The day of revenge is in my heart, and the year of redemption hath arrived. Thus speaketh David, the son of Jesse, the head of all the kings of the earth . . . . the Messiah of the God of Jacob, the Lion of the mountain recesses, Sabbatai Zevi.

The gift referred to in the letter consisted of a shirt which Sabbatai handed over to Rabbi David's son, with the instruc-

[1] See p. 130.
[2] *Ibid.*

tion to put it on his aged and feeble father and recite at the same time the words, "May thy youth be renewed like that of the eagle!"

Having learned from the delegates that a Cabalistic propagandist, by the name of Nehemiah Cohen, who predicted the coming of the Messiah, had appeared in Poland, Sabbatai added a postscript to his letter in which he asked that this "prophet," being the forerunner of the Messiah, be sent to him speedily. The omniscient Messiah failed to foresee that this invitation spelled ruin for him. It is generally conceded that the interview between Nehemiah, the Cabalistic fanatic, and Sabbatai was one of the causes that accelerated the downfall of the Messiah. After a Cabalistic argument with Sabbatai, which lasted three days, Nehemiah refused to acknowledge him as the expected Messiah. While in Adrianople he revealed Sabbatai's plans to the Turkish authorities, and this led to the arrest of the pseudo-Messiah and his feigned conversion to Islam.

The news of the hideous desertion of Judaism by the redeemer of the Jewish people was slow in reaching the Jews of Poland, and when it did reach them, only a part of his adherents felt it their duty to abandon him. The more credulous rank and file remained steadfast in their loyalty, hoping for further miracles, to be performed by the mysterious savior of Judaism, who had "put on the turban" temporarily in order to gain the confidence of the Sultan and afterwards to dethrone him. When Sabbatai died, Poland witnessed the same transformation of political into mystical Messianism which was taking place at the time in Western Europe.

The proximity to Turkey and to the city of Saloniki, the headquarters of the Sabbatian sect, lent particular intensity to

the sectarian movement in Poland, fomenting a spiritual agitation in the Jewish masses from the end of the seventeenth down to the end of the eighteenth century. The main center of the movement came to be in Podolia, part of which had been annexed by Turkey, after the Polish-Turkish War of 1672, and was returned to Poland only in 1699 by the Peace Treaty of Carlowitz.

The agitators and originators of these sects were recruited partly from among the obscure masses, partly from among the Cabalists whose minds were befogged. At the end of the seventeenth century, a Lithuanian Jew by the name of Zadok, a plain, ignorant man, who had been an innkeeper, began to prophesy that the Messiah would appear in 1695. About the same time a more serious propagandist of the Messianic idea appeared in the person of the Cabalist Hayyim Malakh. Having resided in Turkey, where he had been in contact with the Sabbatian circle in Saloniki, Malakh returned to Poland and began to muddle the heads of the Jews. He secretly preached that Sabbatai Zevi was the Messiah, and that, like Moses, who had kept the Israelites in the desert for forty years before bringing them to the borders of the Promised Land, he would rise from the dead and redeem the Jewish people in 1706, forty years after his conversion.

Malakh's propaganda proved successful, particularly among the ignorant masses of Podolia and Galicia. Malakh was soon joined by another agitator, Judah Hasid, from Shidlovitz or Shedletz.[1] Having studied Practical Cabala in Italy, Judah Hasid returned to his native land and began to initiate the

[1 In Hebrew the two names are not clearly distinguishable. The former town, in Polish, *Szydlowiec*, is near Radom. The latter, in Polish, *Siedlce*, is the capital of the present Russian Government of the same name, not far from Warsaw.]

studious Polish youths into this hidden wisdom. The circle of his pupils and adherents grew larger and larger, and became consolidated in a special sect, which called itself "the Pious," or *Hasidim*. The members of this sect engaged in ascetic exercises; in anticipation of the Messiah, they made public confession of their sins and inserted mystical prayers in their liturgy. Hayyim Malakh joined the circle of Judah Hasid, and brought over to it his Sabbatian followers. The number of "the Pious" grew so large that the Orthodox rabbis became alarmed and began to persecute them. Under the effect of these persecutions the leaders of the sect started a propaganda for a mass-emigration to Palestine, there to welcome in triumph the approaching Messiah.

Many Jews were carried away by this propaganda. In the beginning of 1700, a troop of one hundred and twenty pilgrims started on their way, under the joint leadership of Judah Hasid and Hayyim Malakh. The emigrants traveled in groups, by way of Germany, Austria, and Italy, stopping in various cities, where their leaders, dressed, after the manner of penitent sinners, in white shrouds, delivered fiery exhortations, in which they announced the speedy arrival of the Messiah. The lower classes and the women were particularly impressed by the speeches of the rigorously ascetic Judah Hasid. On the road the Polish wanderers were joined by other groups of Jews desirous of visiting the Holy Land, so that the number of the travelers reached 1300 souls. One party of emigrants, led by Hayyim Malakh, was dispatched, with the help of charitable Jews of Vienna, from that city to Constantinople. Another party, headed by Judah Hasid, traveled to Palestine by way of Venice.

After much suffering and many losses on the journey, during which several hundred died or remained behind, one thousand reached Jerusalem. On arriving at their destination the newcomers experienced severe disappointment. One of the leaders, Judah Hasid, died shortly after their arrival in the Holy City. His adherents were cooped up in some courtyard, and depended on the gifts of charitable Jews. The destitute inhabitants of Jerusalem, themselves living on the charity of their European brethren, were not in a position to support the pilgrims, who soon found themselves without means of subsistence. Disillusioned and discouraged, the sectarians rapidly dispersed in all directions. Some joined the ranks of the Turkish Sabbatians, who posed as Mohammedans. Others returned to Western Europe and Poland, mystifying credulous people with all kinds of wild tales. Still others in their despair let themselves be persuaded by German missionaries to embrace Christianity. Hayyim Malakh, the second leader of the pilgrims, remained in Jerusalem for some time with a handful of his adherents. In this circle symbolic services, patterned after the ritual of the Sabbatians, were secretly held, and, as rumor had it, the sectarians performed dances before a wooden image of Sabbatai Zevi. Having been forced to leave Jerusalem, the dangerous heretic traveled about in Turkey, where he maintained relations with sectarian circles. After being banished from Constantinople by the rabbis, Hayyim Malakh returned to his native country, and renewed his propaganda in Podolia and Galicia. He died about 1720.

The ill success of the " Hasidim " failed to check the spread of sectarianism in Poland. In Galicia and Podolia, the conventicles of " Secret Sabbatians," dubbed by the people " Shabsitzvinnikes " (from the name of Sabbatai Zevi), or, in abbrevi-

ated form, "Shebsen," continued as before. These Sabbatians neglected many ceremonies, among them the fast of the Ninth of Ab, which, because of its being the birthday of Sabbatai, had been transformed by them from a day of mourning into a festival. Their cult contained elements both of asceticism and libertinism. While some gave themselves over to repentance, self-torture, and mourning for Zion, others indulged in debaucheries and excesses of all kinds. Alarmed by this dangerous heresy, the rabbis at last resorted to energetic measures. In the summer of 1722, a number of rabbis, coming from various communities, assembled in Lemberg, and, with solemn ceremonies, proclaimed the *herem* (excommunication) against all Sabbatians who should fail to renounce their errors and return to the path of Orthodoxy within a given time.

The measure was partly successful. Many sectarians publicly confessed their sins, and submitted to severe penances. In most cases, however, the "Shebsen" clung stubbornly to their heresy, and in 1725 the rabbis were forced to launch a second herem against them. By the new act of excommunication every Orthodox Jew was called upon to report to the rabbinical authorities all the secret sectarians known to him. The act of excommunication was sent out to many communities, and publicly recited in the synagogues. But even these persecutions failed to wipe out the heresy. Secret Sabbatianism continued to linger in the nooks and corners of Podolia and Galicia, and finally degenerated into the dangerous movement known as Frankism.

4. The Frankist Sect

Jacob Frank was born about 1726 in a town of Podolia. His father Judah Leib belonged to the lower Jewish clergy, among whom all kinds of perverted mystical notions were particularly

in vogue. Judah Leib fell under suspicion as an adherent of Sabbatianism, and was expelled from the community, which he had served as rabbi or preacher. He settled in Wallachia, where little Jacob grew up in an atmosphere filled with mystic and Messianic fancies and marked by superstition and moral laxity. From his early youth he showed repugnance to study, and remained, as he later called himself, an ignoramus. While living with his parents in Wallachia, he first served as clerk in a shop, and afterwards became a traveling salesman, peddling jewelry and notions through the towns and villages. Occasionally young Jacob traveled with his goods to adjoining Turkey, where he lived for some time in Saloniki and Smyrna, the centers of the Sabbatian sect. Here, it seems, Jacob received his nickname Frank, or Frenk, a designation applied in the East to all Europeans. Between 1752 and 1755 he lived alternately in Smyrna and Saloniki, and came in contact with the Sabbatians, participating in their symbolic, semi-Mohammedan cult. It was then and there that Jacob Frank was struck by the idea of returning to Poland and playing the rôle of prophet and leader among the local secret Sabbatians, who were oppressed and disorganized. It was selfish ambition and the spirit of adventure rather than mystical enthusiasm that pushed him in that direction.

In 1755 Frank made his appearance in Podolia and, joining hands with the leaders of the local "Shebsen," began to initiate them into the doctrines he had imported from Turkey. The sectarians arranged secret meetings, at which the religious mysteries centering around the Sabbatian "Trinity" (God, the Messiah, and a female hypostasis of God, the *Shekhinah*) were enunciated. Frank was evidently regarded as the second person of the Trinity and as a reincarnation of Sabbatai Zevi,

being designated as S. S., *i. e.* Santo Senior,[1] "the Holy Lord." One of these assemblies ended in a scandal, and turned the attention of the rabbis to this new agitation.

During the fair held in Lantzkorona,[2] Frank and two score of his followers, consisting of men and women, had assembled in an inn to hold their mystical services. They sang their hymns, exciting themselves to the point of ecstasy by merry-making and dancing. Inquisitive outsiders managed to catch a glimpse of the assembly, and afterwards related that the sectarians danced around a nude woman, who may possibly have represented the Shekhinah, or *Matronitha*,[3] the third person of the Trinity. The Orthodox Jews on the market-place, who were not used to such orgies, were profoundly disgusted by the conduct of the sectarians. They informed the local Polish authorities that a Turkish subject was exciting the people and propagating a new religion. The gay company was arrested, Frank, being a foreigner, was banished to Turkey, and his followers were delivered into the hands of the rabbis and the Kahal authorities (1756).

A conference of rabbis was held in the town of Satanov,[4] and scores of men and women, who had formerly belonged to the Sabbatian sect, presented themselves to confess their sins and to repent. The sectarians owned to having committed acts which were subversive not only of the Jewish religion but also of the fundamental principles of morality and chastity. The women admitted that they had violated their conjugal fidelity,

[1] The Turkish Sabbatians, from whom this Spanish title was borrowed, spoke the Judeo-Spanish dialect. On the abbreviation S. S., see Grätz, *Geschichte der Juden*, x [3], 379, n. 1.]

[2] In Polish, *Lanckorona*, a town in Podolia.]

[3] Literally, "the Lady," a Cabalistic term for the Divine Presence.]

[4] In Podolia.]

and told of the sexual excesses in vogue among the sectarians, which were justified by mystical speculations. On the basis of all this evidence, the conference of rabbis in Brody, which met during the sessions of the Council of the Four Lands, proclaimed a strict herem against all heretics who had failed to repent, and forbade all contact with them. They also prohibited the study of the Zohar before the age of thirty and of the Cabalistic writings of Ari,[1] which were circulated during that period in manuscript form, before the age of forty in order to avoid the snares of mystical heterodoxy.

It was then that the excommunicated and persecuted Podolian sectarians, prompted by their leaders, resorted to a counsel of despair. Their representatives appeared in the city of Kamenetz-Podolsk before the Catholic Bishop Dembovski, and declared that the Jewish sect of which they were members rejected the Talmud as a false and harmful work, that they only acknowledged the Zohar, the sacred book of the Cabala, and believed that God was one in three persons, of whom the Messianic Redeemer was one. This declaration aroused in Bishop Dembovski the hope of converting the sectarians to Christianity, notwithstanding the fact that by the "Messianic Redeemer" they understood Sabbatai Zevi, or his reincarnation, Jacob Frank. The Bishop ordered the publication of the ambiguous confession of faith of the "Contra-Talmudists" or "Zoharists"—as the sectarians designated themselves—and decided to arrange a religious disputation between the Frankists and the rabbis. The Podolian rabbis received strict orders from the Bishop to send delegates from their midst to participate in the proposed disputation. Their failure to appear was to be punished by fines and the burning of the Talmud.

[1 See p. 134, n. 4.]

After considerable preparations, the disputation between the leaders of the Contra-Talmudists and a number of rabbis took place in Kamenetz, in the summer of 1757, in the presence of Bishop Dembovski and representatives of the Catholic clergy. The contest lasted seven days. The discussions centered around certain peculiar utterances in the Talmudic Haggada, which the Frankists cited as evidence of the "blasphemous" character of the Talmud. The rabbis retorted feebly, hampered by their inadequate mastery of the Polish language; moreover, when the dispute turned on the fundamental dogmas of Judaism, they refused to discuss them in the presence of Catholic priests. The Bishop received the impression that the Talmudists had been defeated. In the autumn of 1757 he issued a rescript imposing a fine upon the Talmudists, to be paid out to their opponents, for having insulted them at the fair of Lantzkorona, and ordering that all Talmud copies found in the diocese of Podolia be taken away from their owners and delivered to the flames.

The revolting scenes of the time of Louis IX., of France, and Pope Paul IV. were re-enacted. Thousands of Talmud copies were taken away from the Jews and carried to Kamenetz, where they were publicly burned on the market-place. The sectarians witnessed their revenge on their persecutors and triumphed. It is difficult to say how this triumph would have ended, had not Bishop Dembovski suddenly died, in November, 1757. The sectarians were deprived of their mainstay, and became again the target of the Kahal authorities. In 1758 they finally succeeded in obtaining a safe-conduct from King Augustus III., but even this could not rescue them from the uncomfortable position peculiar to those who, having forfeited the sympathies of their own, have not yet been able to gain the confidence of strangers.

At that critical juncture the sectarians decided to recall Jacob Frank, their leader, from Turkey. The latter immediately appeared in Podolia with a new plan, which, he hoped, would at once rid him and his adherents of all opponents. In the discourses delivered before his followers Frank dwelt a great deal on his exalted mission and on the divine revelations which commanded him to follow in the footsteps of Sabbatai Zevi. Just as Sabbatai had been compelled to embrace the Mohammedan faith temporarily, so he and his adherents were predestined from above to adopt the Christian religion as a mere disguise and as a stepping-stone to the "faith of the true Messiah." Filled with thirst for revenge, the sectarians hit upon the fiendish thought of lending the weight of their testimony to the hideous ritual murder accusation, which was agitating the whole of Poland at that time, claiming many a victim in the Jewish ranks.

In 1759 the Frankists were busily engaged in negotiations with the highest representatives of the Polish Church concerning their proposed conversion to Christianity. They requested at the same time that they be allowed to hold a public disputation with the rabbis, whom they hoped to expose before the non-Jews. The Primate of the Polish Church Lubinski and the Papal Nuncio Serra received the advances of the Frankists with considerable skepticism. But the temporary administrator of the diocese of Lemberg, Canon Mikolski, insisted that their request be complied with. A second religious disputation between the Talmudists and the Frankists, presided over by Mikolski, was held in Lemberg, and took up eleven sessions (July-August, 1759). At this disputation the Orthodox Jews were represented by a number of Talmudists, headed by the Rabbi of Lemberg, Hayyim Rapoport, while the cause of the

sectarians was championed by Solomon Shorr and Leib Krysa, the principal associates of Frank, as well as several learned Catholic theologians.

The sectarians advanced seven theses as a basis for discussion. Six dealt with the Messianic belief and the dogma of the Trinity, the latter having been practically adopted by them in its Christian formulation. The seventh asserted that "the Talmud considers the use of Christian blood obligatory." The discussion about the first six clauses was rather tame and conventional, largely owing to the fact that the rabbis, who were afraid of offending the religious susceptibilities of the Christians, declined in many cases to state their views. Only when it came to the last point, the malicious accusation of ritual murder, were the rabbis energetic in refuting it, protesting vehemently against the Frankists, who openly appeared as the enemies of their people.

When the disputation was over, the sectarians were called upon to prove their devotion to Christianity by immediate action. The conversion of the Frankists began. The baptismal ceremony was performed with great solemnity in the churches of Lemberg, members of the Polish nobility acting as sponsors. The neophytes assumed the family names and titles of their godfathers, and in this way received admission into the ranks of the Polish nobility. In Lemberg alone 514 men and women, among them Leib Krysa, Solomon Shorr, and the other fellow-workers of Frank, were converted in the course of 1759 and 1760. Frank entered Lemberg with great pomp, riding in a carriage drawn by six horses and surrounded by a large body-guard. Here he submitted to a preliminary baptism, desiring to complete the ceremony with greater solemnity in Warsaw. Having arrived in the Polish capital,

Frank petitioned King Augustus III. to act as his godfather. The King consented, and the conversion of the sectarian chief to Catholicism took place in November, 1759, with extraordinary splendor, in the presence of the royal family and the court dignitaries. At his baptism Jacob Frank assumed the name Joseph.

However, the attitude of the Polish clergy towards the newly-converted sectarians remained as skeptical as theretofore. Frank's obscure past, his strange manner of living, the reverence accorded to him by his followers, who styled him the "Holy Lord"—all this was bound to arouse the suspicion of the ecclesiastic authorities. The indiscretion of some Frankists, or perhaps a secret denunciation, confirmed the clergy in their suspicions. They learned that the conversion of the sectarians had been an act of hypocrisy, that Frank continued to pose among them as Messiah and "Holy Lord," and that the Trinity professed by them had very little in common with the corresponding Christian dogma. They decided to investigate the matter, and, in case their suspicion should prove true, to indict the leaders of the sect before the ecclesiastic courts.

In January, 1760, Frank was arrested in Warsaw by order of the highest Church authorities, and subjected to a searching cross-examination. With all his astuteness, the chief of the Frankists failed to convince the judges of his Christian Orthodoxy. Many of the depositions made by his disciples or by himself only strengthened the case against him. The ecclesiastic court, having previously ascertained the attitude of Rome through the Papal Nuncio, sentenced Frank to imprisonment in the citadel of Chenstokhov and to detention in the local monastery, so as to prevent all contact with his followers.

Thirteen years (1760-1772) Frank remained in the citadel, but the Catholic clergy failed in its purpose. The Frankists continued their relations with the "Holy Lord," who as a suffering Messiah was now surrounded in their eyes with a new halo. They even managed to penetrate into Chenstokhov itself, and settled in large numbers on the outskirts of the town, which, in accordance with old Messianic notions, they designated as "the gates of Rome."[1] They beheld in Frank's fate a repetition of the destiny of Sabbatai Zevi, who had been equally kept prisoner in the castle of Abydos, near the capital of Turkey. They were inspired by Frank's mystical discourses and epistles, the gist of which was that their only salvation lay in the "holy religion of Edom," a term by which he understood a strange medley of Christian and Sabbatian ideas. The new religion was devoid of any truly religious or moral element, and the same applies to the life of Frank, who cynically expressed himself to his followers: "I have come to rid the world of all the laws and statutes which have been in existence hitherto." There was nothing reminding one of an apostle about the conduct of the "Holy Lord," based as it was on mystification and on the endeavor to accommodate oneself to the environment.

The first partition of Poland put an end to Frank's imprisonment in the monastery. He was released by the commander of the Russian troops which occupied Chenstokhov towards the end of 1772. After a brief stay in Warsaw, where he managed to re-establish direct relations with the sectarians, Frank, accompanied by his family and a large retinue, left the boundaries of Poland and settled in Brünn, in Moravia (1773).

[1] *Tarā de-Rōmē*, the legendary dwelling-place of the Messiah. [Comp. Sanhedrin 98a.]

The further exploits of this adventurer were performed in a new field, in Western Europe. In Catholic Austria, Frank assumed the rôle of a Christian missionary among the Jews, and even succeeded in gaining the favor of the Court in Vienna. However, his past soon became known, and he had to leave Austria. Frank settled in Germany, in Offenbach, near Frankfort-on-the-Main, where he arrogated to himself the title of "Baron of Offenbach." In his new place of residence, Frank, assisted by his daughter Eve, or the "Holy Lady," stood at the head of a secret circle of sectarians, and, supported by his Polish and Moravian partisans, led a life of ease and luxury.

After the death of Frank, which occurred in 1791, his sect began to disintegrate, and the flow of gifts for the benefit of the Offenbach Society gradually ceased. After unsuccessful endeavors to attract sectarians, Frank's successor, Eve, found herself entangled in debts, and, pursued by her creditors, died in 1816 in Offenbach. The Frankists who had stayed in Poland, though outwardly Catholics, remained loyal to the "Holy Lord" down to the day of his death. For a long time they intermarried among themselves, and were known in Poland under the name of "Neophytes." But by and by they were merged with the Catholic population, gradually losing the character of a sect, and were at last completely absorbed by their Polish environment.

5. The Rise of Hasidism and Israel Baal-Shem-Tob

Frankism proved the grave of Sabbatianism, by turning its dreamy mysticism into mystification, and its lofty Messianism into the selfish desire to escape Jewish suffering through disloyalty to Judaism. It was a grossly negative, materialistic movement, which disregarded the noblest strivings and the

most genuine longings of the Jewish soul. The need for a deepened religious consciousness, which the formalities of Rabbinism had failed to satisfy, remained as alive as ever among the Jewish masses. This need was bound to give rise to a positive religious movement, which was in harmony with the traditional ideas of the Jewish people.

In the spiritual life of Polish Jewry the distinction between its two ethnographic groups, the northwestern, the Lithuanian and White Russian, and the southwestern, the Polish and Ukrainian, became more and more accentuated. In the northwest rabbinic scholasticism reigned supreme, and the caste of scholars, petrified in the ideas of Talmudic Babylonia, was the determining factor in public life.

Talmudic scholarship—remarks a contemporary Lithuanian Jew, the subsequently famous philosopher Solomon Maimon—constitutes the principal object of education among us. Wealth, physical attractions, or endowments of any kind, though appreciated by the people, do not, in its estimation, compare with the dignity of a good Talmudist. The Talmudist has the first claim on all offices and honorary posts in the community. Whenever he appears at an assembly, all rise before him, and conduct him to the foremost place. He is the confidant, the counselor, the legislator, and the judge of the plain man.

Matters, however, were different in Podolia, Galicia, Volhynia, and in the whole southwestern region in general. Here the Jewish masses were much further removed from the sources of rabbinic learning, having emancipated themselves from the influence of the Talmudic scholar. While in Lithuania dry book-learning was inseparable from a godly life, in Podolia and Volhynia it failed to satisfy the religious cravings of the common man. The latter was in need of beliefs easier of understanding and making an appeal to the heart

rather than to the mind. He found these beliefs in the Cabala, in mystic and Messianic doctrines, in Sabbatianism. He even let himself be carried away by teachings which ultimately proved heterodox and subversive of the spirit of Judaism. With the downfall of secret Sabbatianism, which had been utterly compromised by the Frankists, disappeared the last will-o'-the-wisp of Messianism, which had beckoned to the groping Jewish masses. It was necessary to fill the mental void thus created, and provide new food for the unsatisfied religious longings. This task was undertaken by the new *Hasidism* ("Doctrine of Piety"), originated by Besht, a product of obscure Podolian Jewry.

Israel Baal-Shem-Tob (in abbreviated form BeSHT) was born about 1700 on the border line of Podolia and Wallachia of a poor Jewish family. Having lost his parents at an early age, he was cared for by some charitable townsmen of his, who sent him to a Jewish school, or heder, to study the Talmud. The heder-learning did not attract the boy, endowed as he was with an impressionable and dreamy disposition. Israel frequently played the truant, and was more than once discovered in the neighboring forest lost in thought. The boy was finally given up as a bad case, and expelled from school. At the age of twelve, Israel, confronted by the necessity of earning a livelihood, became a *behelfer,* an assistant teacher, and, a little later, obtained the post of a synagogue beadle. In his new dignity, Besht conducted himself rather oddly. In daytime he slept, or pretended to sleep, but at night, when all alone in the synagogue, he prayed fervently, or read soul-saving books. Those around him looked upon him as an eccentric or maniac. He nevertheless persisted in his course. He delved more and more deeply in the mysteries of the Prac-

tical Cabala, studied the "Ari manuscripts," which were circulated from hand to hand, and acquainted himself with the art of performing miracles by means of Cabalistic incantations.

When about twenty years of age, Israel settled in Brody, one of the principal cities of Galicia, and married the sister of the well-known rabbi and Cabalist of the town, Gershon Kutover. Kutover at first tried to interest his brother-in-law in the study of the Talmud, but, finding him entirely indifferent to this kind of mental occupation, the proud rabbi, abashed by his relationship with such an ignoramus, advised Israel to leave Brody. Besht followed the advice, and removed with his wife to a village between the towns of Kuty and Kosovo. He frequently retired to the neighboring Carpathian mountains, where in strict solitude he fasted, prayed, and lost himself in religious speculation. He eked out an existence for himself and his wife by digging clay in the mountains, which his wife carried into the city for sale. According to the Hasidic legend, Israel Besht led this kind of life for seven years. It was a period of preparation for his subsequent calling. At the end of his mystical exploits in the Carpathian mountains, Besht lived in the Galician town of Tlusta, where he occupied minor ecclesiastic positions, acting in succession as melammed, shohet, and cantor of a synagogue. He was universally regarded as an ignoramus, no one being aware of his innermost cravings.

At last, after reaching the age of thirty-six, Besht decided, —by inspiration from above, as the Hasidim believe,—that the time had come "to reveal himself to the world." He began to practice as a *Baal-Shem*,[1] *i. e.* as a magician and Cabalist

[1 Literally, "Master of the Name," a man able to perform miracles through the Name of God.]

and to cure diseases by means of secret incantations, amulets (*kameoth*), and medicinal herbs. The figure of a wandering Baal-Shem was not unusual among the Polish Jews of the time, and Besht chose this career, for it subsequently proved a convenient medium for his religious propaganda. He traveled about the towns and villages of Volhynia and Podolia, curing with his herbs and incantations not only Jews, but also peasants and even pans, who had great faith in magic remedies. He won the reputation of a miracle-worker, and was nicknamed the "good Baal-Shem" (in Hebrew, *Baal-Shem-Tob*). The Jewish masses felt that he was not the ordinary type of conjurer, but a man of righteousness and saintliness. Besht was frequently called upon to foretell the future, and, opening at random the Zohar before him, made predictions as suggested by the holy book. In curing the sick, he resorted not only to herbs and incantations, but also to prayer. While praying, he often fell into ecstasy and gesticulated violently.

Besht became the favorite of the masses. Warm-hearted and simple in disposition, he managed to get close to the people and find out their spiritual wants. Originally a healer of the body, he imperceptibly grew to be a teacher of religion. He taught that true salvation lies not in Talmudic learning, but in whole-hearted devotion to God, in unsophisticated faith and fervent prayer. When he encountered men of learning, Besht endeavored to convince them of the correctness of his views by arguments from the Cabala. But he did not recognize that ascetic form of Cabala which enjoined upon the Jew to foster a mournful frame of mind, to kill the flesh, and strive after the expiation of sin in order to accelerate the coming of the Messiah. He rather had in mind that Cabala which seeks to establish an intimate communion between man and God,

cheering the human soul by the belief in the goodness of God, encouraging and comforting the poor, the persecuted, and the suffering. Besht preached that the plain man, imbued with naïve faith, and able to pray fervently and whole-heartedly, was dearer and nearer to God than the learned formalist spending his whole life in the study of the Talmud. Not to speculate in religious matters, but to believe blindly and devotedly, such was the motto of Besht. This simplified formula of Judaism appealed to the Jewish masses and to those democratically inclined scholars who were satisfied neither with rabbinic scholasticism nor with the ascetic Cabala of the school of Ari.

About 1740 Besht chose for his permanent residence the small Podolian town of Medzhibozh. The rôle of sorcerer and miracle-worker gradually moved to the background, and Besht emerged as a full-fledged teacher of religion. He placed himself at the head of his large circle of disciples and followers, who were initiated by him into the mysteries of the new doctrine, not by way of systematic exposition, but rather in the form of sayings and parables. These sayings have been preserved by his nearest disciples, Besht himself having left nothing in writing.

Two ideas lie at the bottom of the "Doctrine of Piety," or the Hasidism, of Besht: the idea of Pantheism, of the Omnipresence of God, and the idea of the interaction of the lower and upper worlds. The former may be approximately defined by the following utterances of Besht:

It is necessary for man constantly to bear in mind that God is with him always and everywhere; that He is, so to speak, the finest kind of matter, which is poured out everywhere; that He is the master of all that happens in the Universe. . . . Let man

realize that when he looks at things material he beholds in reality the Divine Countenance, which is present everywhere. Keeping this in mind, man will find it possible to serve the Lord at all times, even in trifles.

The second fundamental idea is borrowed from the Cabala, and signifies that there is a constant interaction between the world of the Divine and the human world, so that not only does the Deity influence human actions, but the latter exert a similar influence on the will and the disposition of the Deity.

The further elements of the Besht doctrine follow logically from these premises. *Communion with God* is and must be the principal endeavor of every truly religious man. This communion may be attained by concentrating one's thoughts upon God, and attributing to Him all happenings in life. The essence of faith lies in the emotions, not in the intellect; the more profound the emotions, the nearer man is to God. *Prayer* is the most important medium through which man can attain communion with God. To render this communion perfect, prayer must be ecstatic and fervent, so that he who prays may, as it were, throw off his material film. To attain to this ecstatic condition, recourse may be had to mechanical contrivances, such as violent motions of the body, shouts, shaking, and so on. The study of Jewish religious legislation is of secondary importance, and is useful only when it succeeds in arousing an exalted religious disposition. From this point of view the reading of ethical books is preferable to the study of Talmudic casuistry and rabbinical folios.

Contrary to the fundamental precept of the Practical Cabala, Besht insists that excessive fasting, the killing of the flesh, and ascetic exercises in general, are injurious and sinful, and that a lively and cheerful disposition is more acceptable to God. What is most important in religion is the frame of mind and

not the external ceremonies: *excessive minuteness of religious observance is harmful.* The pious, or *Hasid,* should serve God not only by observing the established ceremonies, but also in his everyday affairs and even in his thoughts. By means of constant spiritual communion with God, man may attain to the gift of clairvoyance, prophecy, and miracle-working. The Righteous, or *Tzaddik,* is he who lives up to the precepts of Hasidism in the highest measure attainable, and is on account of it nearer and dearer to God than any one else. The function of the Tzaddik is *to serve as mediator between God and the common people.* The Tzaddik enables man to attain to perfect purity of soul and to every earthly and heavenly blessing. The Tzaddik ought to be revered and looked up to as God's messenger and favorite.

In this way the doctrine preached by Besht undermined not only scholastic and ceremonial Rabbinism, but also the ascetic Cabala, emphasizing in their stead the principle of blind faith in Providence, of fervent and inspiring prayer, and, last but not least, the dogma of attaining salvation through the medium of the miracle-working Tzaddik. The last-mentioned article of faith was of immense consequence for the further development of Hasidism, and subsequently overshadowed the cardinal principles of the new movement.

As a matter of fact, the personality of Besht as the first Tzaddik impressed the people far more than his doctrine, which could be fully grasped only by his nearest associates and disciples. Among these the following were particularly prominent: Jacob Joseph Cohen, who occupied the post of rabbi successively in Shargorod, Niemirov, and Polonnoye; Baer of Mezherich, a Volhynian preacher and Cabalist; Nahman of Horodno, Nahman of Kosovo, Phineas of Koretz, all of

whom frequently visited Besht in Medzhibozh. Even the former Rabbi of Brody, Gershon Kutover, who had once looked down on his brother-in-law as an *Am ha-Aretz,* acknowledged his religious mission.

About 1750, Besht sent to his brother-in-law Kutover, who had in the meantime settled in the Holy Land, a kind of prophetic manifesto, telling of his miraculous vision, or *revelation.* In it Besht asserted that on the day of the Jewish New Year his soul had been lifted up to heaven, where he beheld the Messiah and many souls of the dead. In reply to the petition of Besht, "Let me know, my Master, when thou wilt appear on earth," the Messiah said:

This shall be a sign unto thee: when thy doctrine shall become known, and the fountains of thy wisdom shall be poured forth, when all other men shall have the power of performing the same mysteries as thyself, then shall disappear all the hosts of impurity, and the time of great favor and salvation shall arrive.

Revelations of this kind were greatly in vogue at the time, and had a profound effect upon mystically inclined minds. The notion spread that Besht was in contact with the prophet Elijah, and that his "teacher" was the Biblical seer Ahijah of Shilo. As far as the common people are concerned, they believed in Besht as a miracle-worker, and loved him as a religious teacher who made no distinction between the educated and the ordinary Jew. The scholars and Cabalists were fascinated by his wise discourses and parables, in which the most abstract tenets of the Cabala were concretely illustrated, reduced to popular language, and applied to the experiences of everyday life. Besht's circle in Medzhibozh grew constantly in number. Shortly before his death, Besht witnessed the agitation conducted by the Frankists in Podolia

and their subsequent wholesale baptism. The Polish rabbis rejoiced in the conversion of the sectarians to Catholicism, since it rid the Jewish people of dangerous heretics. But when Besht learned of the fact, he exclaimed: "I heard the Lord cry and say: As long as the diseased limb is joined to the body, there is hope that it may be cured in time; but when it has been cut off, it is lost forever." There is reason to believe that Besht was one of the rabbis who had been invited to participate in the Frankist disputation in Lemberg, in 1759. In the spring of the following year, Besht breathed his last, surrounded by his disciples.

6. The Hasidic Propaganda and the Growth of Tzaddikism

At the time of Besht's death, his doctrine had gained a considerable number of adherents in Podolia, Galicia, and Volhynia, who assumed the name Hasidim. But the systematic propaganda of Hasidism began only after the death of Besht, and was carried on by his successors and apostles. His first successor was the preacher Baer of Mezherich, referred to previously, under whom the little town of Mezherich became the headquarters of Hasidism in Volhynia, just as Medzhibozh had been in Podolia. In point of originality and depth of sentiment Baer was vastly inferior to his master, but he surpassed him in erudition. His scholarship insured the success of the Hasidic propaganda among the learned class, and also enabled him to become one of the main exponents of the theory of Hasidism.[1] In the course of twelve years (1760-

[1] An exposition of his doctrines may be found in the book entitled *Maggid Debarav le-Ya'kob* ["Showing His Words unto Jacob"—allusion to Ps. cxlvii. 19], also called *Likkute Amarim*, "Collection of Sayings." It was published after his death, in 1784.

1772) Baer managed to surround himself with a large number of prominent Talmudists, who had become enthusiastic converts to Hasidism; some of them came from arch-rabbinical Lithuania and White Russia. Baer developed the doctrine of Besht, laying particular stress upon the principle of Tzaddikism. He trained a staff of apostles, who eventually became the founders of Tzaddik dynasties in various parts of Poland and Lithuania. Tzaddikism served as a bait for the common people, who, instead of a rational belief in certain religious truths, preferred to put their blind faith in the human exponents of these truths—in the Tzaddiks.

The same tendency characterized the activity of another apostle of Besht, Jacob Joseph Cohen, who paid for his devotion to Hasidism by having to endure the persecutions of his rabbinical colleagues. Having lost the post of rabbi in Shargorod, Cohen, with the aid of Besht, accepted the position of preacher in Niemirov, and, after the death of his master, acted as preacher in Polonnoye. Everywhere he was zealously engaged in propagating the Hasidic doctrine by means of the spoken and written word. Jacob Joseph Cohen was the first to attempt a literary exposition of the fundamental principles of Hasidism. In 1780 he published a collection of sermons, under the title *Toldoth Ya'kob Yoseph*,[1] reproducing numerous sayings which he had heard from the lips of Besht. While exalting the importance of the Tzaddiks, who were solicitous about the salvation of the common people, Jacob Joseph bitterly assails the arrogant Talmudists, or "pseudo-scholars," whose whole religion is limited to book-learning, and whose attitude towards the masses is one of contempt. Jacob Joseph's

[1 "History of Jacob Joseph"—a clever allusion to the Hebrew text of Gen. xxxvii. 2.]

book laid the foundation of Hasidic literature, which differs both in content and form not only from rabbinical but also from the earlier Cabalistic literature.

In the last decades of the eighteenth century, Hasidism spread with incredible rapidity among the Jewish masses of Poland and partly even of Lithuania. Numerous communities saw the rise of Hasidic congregations and the establishment of separate houses of prayer, in which services, characterized by boundless ecstasy, violent shouts, and gestures, were held in accordance with Besht's prescriptions. The Hasidim adopted the Cabalistic prayer-book of Ari, which differed from the accepted liturgy by numerous textual alterations and transpositions. They neglected the traditional time limit for morning prayers, changed the ritual of slaughtering animals, and some of them were in the habit of dressing themselves in white on the Sabbath. They were fond of whiling away their time in noisy assemblies, and frequently indulged in merry drinking bouts, to foster, in accordance with Besht's precept, "a cheerful disposition."

The most characteristic trait of the Hasidim, however, was their boundless veneration of the "holy" Tzaddiks. Though logically the outcome of Hasidism, in practice Tzaddikism was in many cases its forerunner. The appearance of some miracle-working Tzaddik in a certain neighborhood frequently resulted in wholesale conversions to Hasidism. The Tzaddik's home was overrun by crowds of men and women who in their credulity hoped to obtain a cure for diseases or a remedy for the sterility of their women, or who asked for a blessing, for predictions of the future, or sought advice in practical matters. If, in one case out of many, the Tzaddik succeeded in helping one of his clients, or if one of his guesses or predictions proved

to be correct, his fame as a miracle-worker was firmly established, and the population of the neighborhood was sure to be won over to Hasidism.

The number of Hasidic partisans grew in proportion to the number of Tzaddiks, of whom there were a great many in the last two decades of the eighteenth century. The most authoritative Tzaddiks came from the circle of Baer of Mezherich. Every one of them either laid his own individual impress upon the doctrine preached by him, or endeavored to adapt himself to the habits of the population of his district. As a result, the Hasidic doctrine branched out rapidly, falling into different varieties. The principal branches of Hasidism were two: that of Poland and Ukraina, and that of Lithuania and White Russia.

The former was represented by Elimelech of Lizno, in Galicia, Levi Itzhok of Berdychev, Nohum of Chernobyl, and Borukh of Tulchyn, a grandson of Besht. Elimelech of Lizno, who died in 1786, carried the doctrine of practical Tzaddikism to its radical conclusions. He preached that the first duty of the Hasid consists in reverence for the Tzaddik. The Tzaddik is "a middleman between Israel and God." Through his intercession God bestows upon the faithful all earthly blessings—"life, children, and sustenance"[1]; if the Tzaddik wills otherwise, the flow of blessings is stopped. The Hasid is therefore obliged to have blind faith in the Tzaddik, to look upon him as his benefactor, and to give him of his means. The Tzaddik should be supported by donations in cash and in kind, so that he may devote himself wholly to the service of God and thereby prove a blessing to mankind.

[1] *Hayye, bane, u-mezone* [allusion to a well-known Talmudic dictum; Mo'ed Katan 28ª].

This commercial theory of an exchange of services accomplished its purpose. The people brought their last pennies to the Tzaddik, and the Tzaddik in turn was indefatigable in bestowing blessings, pouring forth divine favors upon earth, healing the cripples, curing the sterility of women, and so on. The profitable calling of Tzaddik became hereditary, passing from father to son and grandson. Everywhere petty "dynasties" of Tzaddiks sprang up, which multiplied rapidly and endeavored to wrest the supremacy from one another. Such was the fate of the cult of the Righteous taught by Besht, which now assumed gross materialistic forms.

It is fair to add, however, that not everywhere did Tzaddikism sink to such low depths. There were Tzaddiks who were idealists, lovers of mankind, and saintly men, however strange the forms in which these virtues often manifested themselves. One of these men, to quote one instance, was Levi Itzhok of Berdychev, who in his youth had been cruelly persecuted by the Lithuanian rabbis for his devotion to Hasidism. Towards the end of the eighteenth century he settled in Berdychev as Tzaddik, and became tremendously popular in his new calling on account of his saintly life and his fatherly love for the common people. Speaking generally, however, the Ukrainian, Podolian, and Galician Tzaddiks had one tendency in common, that of inculcating in their followers a blind faith in the truths of Hasidism and shunning all "speculation" as injurious to religious sentiment.

The development of Hasidism in Lithuania and White Russia was altogether different. Whereas in the south Hasidism captured entire communities at one stroke, meeting with feeble resistance from the dry-as-dust representatives of Rabbinism,

in the north it was forced to engage in a bitter struggle for existence with powerful Rabbinism as represented by the Kahal organization. At the same time it received a special coloring there. The Hasidism of Besht, having been carried to the north by the disciples of Baer of Mezherich, Aaron of Karlin, Mendel of Vitebsk, and Zalman of Ladi, could not help absorbing many elements of the dominant doctrine of Rabbinism. The principal exponent of this new teaching in the North, Zalman Shneorsohn [1] (died 1813), of Lozno, and later of Ladi, both in the Government of Moghilev, succeeded in creating a remarkable system of thought, which may well be designated as "rational Hasidism." He summed up his theory in the words: "Wisdom, Understanding, and Knowledge." [2]

While in the main adopting the doctrine of Besht, Zalman injected into it the method of religious and philosophic investigation. "Speculation" in matters of faith—within certain limits, of course—was, in his opinion, not only permissible but even obligatory. He demanded that the Tzaddik be, not a miracle-worker, but a religious teacher. He purged Hasidism of numerous vulgar superstitions, robbing it at the same time of the childlike *naïveté* which characterized the original doctrine of Besht. Zalman's own theory was adapted to the comparatively high intellectual level of the Jewish population of the Northwest. In the South it was never able to gain adherents.

[1 His full name was Shneor Zalman, which is used by the author later on. Subsequently he assumed the family name Shneorsohn.]

[2 In Hebrew, *Hokma*, *Bina*, *Da'ath*, abbreviated to HaBaD, from which the White Russian Hasidim received the nickname "Habadniks."

7. Rabbinism, Hasidism, and the Forerunners of Enlightenment

Rabbinism had long been scenting a dangerous enemy in Hasidism. The principle proclaimed by Besht, that man is saved by faith and not by religious knowledge, was in violent contradiction with the fundamental dogma of Rabbinism, which measured the religious worth of a man by the extent of his Talmudic learning. The rabbi looked upon the Tzaddik as a dangerous rival, as a new type of popular priest, who, feeding on the superstition of the masses, rapidly gained their confidence. The lower Jewish classes abandoned the uninspiring Talmudist, whose subtleties they failed to comprehend, and flocked to the miracle-working Tzaddik, who offered them, not only his practical advice, but also his blessing, thus saving soul and body at one and the same time. However, completely defeated by Hasidism in the South, Rabbinism still reigned supreme in the North, and finally declared a war of extermination against its rival.

During the period under discussion, in the latter part of the eighteenth century, the leader of the Lithuanian rabbis was Elijah of Vilna (1720-1797), who received the ancient, high-sounding title of Gaon.[1] He was the incarnation of that power of intellect which was the product of subtle Talmudic reasoning. Early in his childhood Elijah displayed phenomenal ability. At the age of six he managed to read the Talmudic text without the aid of a teacher. At the age of ten he participated in difficult Talmudic discussions, amazing old rabbis by his erudition. His mind rapidly absorbed everything that came within its range. Elijah was familiar with the Cabala, and incidentally picked up enough of mathematics,

[1] הגר"א [*Hagro*, abbreviation of *H*a-*G*aon *R*abbi *E*(א = o)lia].

astronomy, and physics, to be able to follow certain discussions in the Talmud. He lived in Vilna as a recluse, leading the life of an ascete and burying himself entirely in his books. He took little nourishment, slept two hours a day, rarely conversed about secular affairs, his contact with the outside world being practically limited to the Talmudic lectures which he delivered before his pupils.

Elijah avoided the method of pilpul, which was meant to exercise the mind by inventing artificial contradictions in the Talmudic text and subsequently removing them. Knowing by heart almost the entire Talmudic and rabbinic literature, he had no difficulty in solving the most complicated questions of Jewish law, and, guided by subtle critical observations, occasionally allowed himself to emend the text of the Talmud. Elijah Gaon wrote commentaries and all sorts of "annotations" to Biblical, Talmudic, and Cabalistic books, but his style was, as a rule, careless, consisting of hints, references, and abbreviations, intelligible only to the learned reader. In his spare moments he occasionally wrote about Hebrew grammar and mathematical sciences. Rabbinical learning was his native element, embodying for him the whole meaning of religion. In questions of religious ceremonialism he was a rigorist, adding here and there new restrictions to the multifarious injunctions of the *Shulhan Arukh*. He was the idol of all the learned rabbis of Lithuania and other countries, but the masses understood him as little as he understood them. A spiritual aristocrat, he was bound to condemn severely the "plebeian" doctrine of Hasidism. The latter offended in him equally the learned Talmudist, the rigorous ascete, and the strict guardian of ceremonial Judaism, of which certain minutiae had been modified by the Hasidim after their own fashion.

As far back as 1772, when the first Hasidic societies were secretly organized in Lithuania, and several of their leaders were discovered in Vilna, the rabbinical Kahal court of that city pronounced, with the permission of Elijah Gaon, the herem against the sectarians. From Vilna circulars were sent out to the rabbis of other communities, calling upon them to wage war against the "godless sect." In many towns of Lithuania the Hasidim became the object of persecution. The rabbis of Galicia, having been forewarned from Vilna, followed suit, and at a meeting held in Brody, during the local fair, issued a most rigorous herem against every Jew following the Hasidic liturgy, dressing in white on Saturdays and holidays,[1] and in general participating in the conventicles of the Hasidim.

We have already had occasion[2] to refer to the work of the Hasidic apostle Jacob Joseph Cohen (*Toldoth Ya'kob Yoseph*), which for the first time reproduced the sayings of Besht, and, by way of comment, indulged in attacks upon the scholastic "pseudo-wisdom" of the rabbis. Cohen's work, which appeared in 1780, once more stirred the rabbinical world. From Vilna the signal was given for a new campaign against the Hasidim. The rabbis of Lithuania, assembling in 1781 at the fair of Zelva, in the Government of Grodno, issued appeals to all Jewish communities, demanding the severest possible penalties for "the dishonorable followers of Besht, the destroyer of Israel." All orthodox Jews were called upon to ostracize the Hasidim socially, to regard them as infidels, to shun all contact and avoid intermarriage with them, and to refrain from

[1] The custom of wearing white garments was adopted, for certain mystical considerations, by the Tzaddiks and the most pious of their followers.

[2] See p. 230.

burying their dead. The opponents of the Hasidim called themselves *Mithnagdim,* "Protestants," and persecuted them everywhere as dangerous schismatics.

The formation of important Hasidic societies in White Russia, under the leadership of Zalman Shneorsohn, increased the agitation of the Mithnagdim. At the rabbinical conferences held in Moghilev and Shklov severe measures were adopted against the Hasidim, and their leader was proclaimed a heretic. In vain did Zalman defend himself, and, in his epistles to the rabbis, demonstrate his Orthodoxy. In vain did he travel to Vilna to obtain a personal interview with Elijah Gaon and remove the stain of heresy from himself and his followers. The stern Gaon refused even to see the exponent of heterodoxy. At the very end of the eighteenth century the strife of parties in Russian Jewry became more and more accentuated, and finally led, as we shall see later,[1] to the interference of the Russian Government.

While warring with one another, Rabbinism and Hasidism found a point of contact in their common hatred of the new Enlightenment, which proceeded from the Mendelssohn circle in Berlin. If Rabbinism opposed secular knowledge actively, looking upon it as a competitor who contested its own spiritual monopoly, Hasidism opposed it passively, with its whole being, prompted by an irresistible leaning towards mental drowsiness and "pious fraud." Hasidism and its inseparable companion Tzaddikism, the products of a mystical outlook on life, were powerless against cold logical reasoning. It stands to reason that the Tzaddiks were even more hostile towards secular learning than the rabbis. True, Rabbinism had immersed the Jewish mind in the stagnant waters of scholas-

[1] See pp. 377 *et seq.*

ticism, but Hasidism, in its further development, endeavored altogether to lull rational thinking to sleep, and to cultivate, to an excessive degree, the religious imagination at its expense. The new cultural movement which had arisen among the Jews of Germany had no chance of penetrating into this dark realm, which was guarded on the one hand by scholasticism and on the other by mysticism. The few isolated individuals in Polish Jewry who manifested a leaning towards secular culture were forced to go abroad, primarily to Berlin.

One of these rare fugitives from the realm of darkness was Solomon Maimon (1754-1800). He was born the son of a village arendar in Lithuania, near Nesvizh, in the Government of Minsk, where he received a Talmudic education, and where, having scarcely reached the age of twelve, he was married off by his old-fashioned parents. However, unlike thousands of other Jewish lads, he managed to escape spiritual death in the mire of everyday life. Endowed with a searching mind, Solomon Maimon was driven constantly onward in his mental development. From the Talmud he passed to the Cabala, in which at one time he was completely absorbed. From the Cabala he made a sudden leap to the religious philosophy of Maimonides and other medieval Jewish rationalists. His youthful intellect was eager for new impressions, and these his immediate surroundings failed to give him. In 1777 Maimon left home and family, and went to Germany to acquire secular culture. He found himself first in Königsberg, and then proceeded to Berlin, Posen, Hamburg, and Breslau, enduring all kinds of suffering, and tasting to the full the bitterness of a wanderer's life in a strange land. In Berlin he came in contact with Mendelssohn and his circle, rapidly acquired a knowledge

of German literature and science, and made a deep study of philosophy, particularly of the system of Kant.

The sudden transition from rabbinic scholasticism to the "Critical Philosophy" of Germany, and from the primitive existence of a Lithuanian Jew to the free life of an educated European, destroyed Maimon's mental equilibrium. He fell a prey to skepticism and unbelief, denying the foundations of all religion and morality, and led a disorderly life, which made his best friends turn from him. In his philosophic criticism, Maimon went much further than Kant. In 1790 he published in German "A Tentative Investigation of Transcendental Philosophy," and this book was followed by a number of writings dealing with metaphysics and logic. Kant, on reading his first book, made the remark: "No one among my opponents has grasped the essence of my system as profoundly as Maimon, nor are there altogether many men endowed with so refined and penetrating a mind in questions so abstract and complex." In 1792 Solomon Maimon published his "Autobiography" (*Lebensgeschichte*), a remarkable book, in which he vividly describes the conditions of life and the ideas prevalent among Polish Lithuanian Jews as well as his own sad Odyssey. The Autobiography made a profound impression upon educated Christians, among others on Goethe and Schiller. The last years of his life Maimon spent in Silesia, on the estate of his friend Count Kalkreuth, where he continued his philosophic studies. He died in 1800, and was buried in Glogau. During the last years of his life Maimon was completely estranged from Judaism. He contributed next to nothing to the enlightenment of his fellow-Jews, the only work written by him in Hebrew being an uncompleted commentary on Maimonides' "Guide of the Perplexed." Having

escaped the realm of darkness, he no more returned thither. Nor perhaps was he able to do so without risking the same fate as Uriel Acosta.

The time for cultural rejuvenation had not yet arrived for the Jews of Poland and Lithuania. Least of all could such a rejuvenation have been stimulated by the change in their external, political situation: the transfer of the bulk of the Jewish population from the power of disintegrating Poland to that of Russia, a country even less civilized and built upon the foundations of autocracy and serfdom.

CHAPTER VII

THE RUSSIAN QUARANTINE AGAINST JEWS (TILL 1772)

1. The Anti-Jewish Attitude of Muscovy during the Sixteenth and Seventeenth Centuries

The Empire of Muscovy, shut off from Western Europe by a Chinese—or, more correctly, Byzantine—wall, maintained during the sixteenth century its attitude of utmost prejudice towards the Jews, and refused to admit them into its borders. This prejudice was part of the general disfavor with which the Russian people of that period, imbued as it was with the traditions of Tataric-Byzantine culture, looked upon foreigners or "infidels." But the prejudice against the Jews was fed, in addition, from a specific source. The recollection of the "Judaizing heresy" which had struck terror to the hearts of the pious Muscovites at the end of the fifteenth and the beginning of the sixteenth century[1] had not yet died out. The Jews were regarded as dangerous magicians and seducers, superstitious rumors ascribing all possible crimes to them. The ambassador of the Muscovite Grand Duke, Basil III., at Rome, observed in 1526 to the Italian scholar Paolo Giovio: "The Muscovite people dread no one more than the Jews, and do not admit them into their borders."

Jewish merchants of Poland and Lithuania visited occasionally, in connection with their business affairs, the border city Smolensk, but they had no permanent residence there. From time to time they would carry their goods even into the capital,

[1] See p. 36 and p. 37.

Moscow, although such daring did not always pass unpunished. About 1545 the goods imported by Jewish merchants from Brest-Litovsk to Moscow were burned there, on which occasion the Muscovite ambassador called the attention of the Polish Government to the fact that the Jews had imported forbidden merchandise to Russia, though they had not even the right to travel thither. In 1550 the Polish King Sigismund Augustus addressed a "charter" to Tzar Ivan the Terrible (Ivan IV.), demanding the admission of Lithuanian Jews into Russia for business purposes, by virtue of the former commercial treaties between the two countries. Ivan IV. rejected this demand in resolute terms:

> It is not convenient to allow Jews to come with their goods to Russia, since many evils result from them. For they import poisonous herbs [medicines] into our realm, and lead astray the Russians from Christianity. Therefore he, the [Polish] King, should no more write about these Jews.

Ivan the Terrible soon had occasion to demonstrate concretely that he was not inclined to tolerate Jews in his domains. When, in 1563, the Russian troops occupied the Polish border city Polotzk,[1] the Tzar gave orders to have all local Jews converted to the Greek Orthodox faith, and those who refused baptism drowned in the Dvina. His attitude towards the Poles was more indulgent. He contented himself in their case with taking them captive and demolishing their churches. Fortunately a few years later, in 1579, Polotzk was restored to Poland through the bravery of Stephen Batory, the protector of the Jews.

[1 In the present Russian Government of Vitebsk, to be distinguished from Plotzk, in Polish, *Plock*, the capital of the Government of the same name in Russian Poland, on the right bank of the Vistula.]

These primitive forms of denominational politics continued for a long time to prevail in Muscovy. The Jews of Poland and Lithuania managed, though illegally, to visit the capital in the interest of their business. With the influx of Poles into Moscow during the so-called "period of unrest," the interregnum preceding the establishment of the Romanov dynasty in 1613, a goodly number of Jews penetrated into Russia. The Muscovites became alarmed, and their apprehensions found expression in 1610, when the noblemen of Moscow were conducting negotiations with Poland looking to the election of the Polish Crown Prince Vladislav to the Russian throne. An agreement was concluded, consisting of twenty clauses, setting forth the conditions on which the noblemen were willing to vote for Vladislav. The fourth clause of this agreement runs as follows:

> No churches or temples of the Latin or any other faith shall be allowed in Russia. No one shall be induced to adopt the Roman or any other religion, and the Jews shall not be allowed to enter the Muscovite Empire either on business or in connection with any other affairs.

In these circumstances the Jews were deprived of all opportunity to develop commercial life in the reactionary Empire. Forty years later this same Empire pushed its way into the territories of Poland and Lithuania, which were populated by Jews, and the policy of Muscovy was destined to reveal its creative genius in the domain of the Jewish question.

The first contact of the Muscovite Empire with large Jewish masses took place when the province of Little Russia was annexed by Tzar Alexis Michaelovich in 1654. When the Russian troops, allied with the Cossacks, overran White Russia, Lithuania, and the Ukraina, they were struck by the

undreamed-of spectacle of cities in which entire quarters were populated by Jews, a strange people about which the unenlightened Muscovites knew nothing except that once upon a time they had crucified Christ, and for this reason were not allowed to enter pious, Greek Orthodox Russia. Alexis Michaelovich and his military commanders began after their own fashion to play the masters in the temporarily occupied Polish provinces. In Vilna and Moghilev the Jews were murdered, and those who survived were expelled. In Vitebsk the Jews were made prisoners of war, while in other cities they were assaulted and plundered.[1]

As a result the Muscovite Empire soon found within its precincts a strangely composed Jewish population, consisting of prisoners of war, who had been carried off principally from the border towns of the Government of Moghilev, and had been deported to the central provinces of Russia, and in some cases even as far as Siberia. By the Peace of Andrusovo, concluded in 1667 between Russia and Poland, the prisoners of war of both countries were given their freedom, but the captive Jews were allowed to remain in Muscovy. These Jews formed the nucleus of a small Jewish colony in Moscow, which grew up gradually, and in which occasionally even converts were to be found. It seems that with the aid of these "legal" Jewish residents other "illegal" Jews, from the neighboring regions of Lithuania and White Russia, managed to penetrate to Moscow. A few Jewish merchants, particularly those trading in cloth, succeeded in obtaining an official permit, the so-called "red ticket," to visit the capital. However, in 1676 the prohibition against Jews entering Moscow was renewed. Only in the portion of the Ukraina which had been annexed by Russia,

[1] See pp. 153 *et seq.*

in the provinces of Chernigov and Poltava, and a part of the province of Kiev, there could still be found small groups of Jews who had survived the Cossack massacres of 1648. Moreover, from the Polish section of the Ukraina, Jews occasionally came on business into these Cossack districts, notwithstanding the fact that, according to Russian law, the Jews were barred from residing within the borders of Little Russia.

2. The Jews under Peter I. and His Successors

This treatment of the Jews did not improve even in the new Russia, in which Peter the Great, the Tzar-Reformer, "had broken through a window into Europe." True, Peter's reforms effected a change for the better in the attitude of the isolated, unenlightened Empire towards foreigners, but this change did not extend to the Jews. We know of no laws enacted during his reign which might illustrate the views of the new Government on the Jewish question. There is reason to believe that the Tzar, in allowing the former enactments against the admission of Jews into Russia to remain in force, took into account the primitive habits and prejudices of his people. A contemporary witness narrates that, in 1698, during Peter's stay in Holland, the Jews of Amsterdam requested the burgomaster Witsen to petition the Tzar concerning the admission of their coreligionists into Russia. After listening to the convincing arguments of Witsen, with whom he was on a very friendly footing, Peter replied:

My dear Witsen, you know the Jews, and you know their character and habits; you also know the Russians. I know both, and believe me, the time has not yet come to unite the two nationalities. Tell the Jews that I am obliged to them for their proposition, and that I realize how advantageous their services would be to me, but

that I should have to pity them were they to live in the midst of the Russians.

Discounting the element of anecdote in this story, we may reasonably assume that Peter did not think it entirely harmless for the Jewish emigrants to settle among the benighted Russian masses, which had been accustomed to look upon the Jew as some kind of sea-monster, and as an infidel and Christ-killer. It is possible that Peter was prompted by similar considerations when he refused to admit the Jews into the central provinces of Russia.

However, from another source we learn that the " reformer " of Russia was not free from anti-Jewish prejudices, though they were not always of a religious nature.

While inviting skilful foreigners from all over—says the Russian historian Solovyov—Peter made a permanent exception but for one people—the Jews. " I prefer," he was wont to say, " to see in our midst nations professing Mohammedanism and paganism rather than Jews. They are rogues and cheats. It is my endeavor to eradicate evil and not to multiply it. They shall not be allowed either to live or to trade in Russia, whatever efforts they may make, and however much they may try to bribe those near me."

Of course, only a goodly dose of anti-Semitic bias could prompt a view which regards in this light the economic activity of the Jews among the Russian merchants, those same merchants who had of yore given expression to their commercial principles in the well-known Russian dictum, " If you don't cheat, you don't sell."

It is possible that Peter was not unfamiliar with anti-Jewish prejudices of a more objectionable kind. In 1702 reports were received in Moscow from Little Russia, that in the town of Gorodnya, near Chernigov, " the Jews had tortured a Christian to death, and had sent his blood to a number of Jews in

Little Russian towns." The descendants of Khmelnitzki had evidently succeeded in importing into Russia what was at that time a fashionable article in Poland, the charge of ritual murder, and these obscure rumors may have affected injuriously the attitude of the Russian Tzar towards the Jews.

On the other hand, we are informed that, during the Russo-Swedish War, when the Russian army was operating on the Polish border territory, populated by Jews, Peter the Great refrained from repeating the pogrom experiments of his father, Alexis Michaelovich. In August, 1708, shortly before the celebrated battle at Lesnaya, in White Russia, he checked a military riot against the Jews which had been started in Mstislavl. A brief Hebrew entry in the local Kahal journal, or *Pinkes,* runs as follows:

> On the twenty-eighth of Elul, in the year 5468, there came the Cæsar, who is called the Tzar of Muscovy, by the name of Peter, the son of Alexis, with his whole suite, an immense, numberless host. Robbers and murderers from among his people fell upon us, without his knowledge, and it almost came to bloodshed. And if the Lord Almighty had not put it into the heart of the Tzar to enter our synagogue in his own person, blood would certainly have been shed. It was only with the help of God that the Tzar saved us, and took revenge for us, by giving orders that thirteen men from among them [the rioters] be immediately hanged, and the land became quiet.

During the last years of his reign, Peter began to admit Jewish financial agents to his new capital, St. Petersburg. One of the most energetic financial agents at that time was the "court Jew" Lipman Levy, a banker from Courland, who attained to particular prominence under Peter's successors.

Under the immediate successors of Peter the Great the "defensive" policy towards the Jews gradually became an

"offensive" one. The magnates at the Russian court, who dominated Russia under the label of "The Supreme Secret Council," called attention to the unnecessary proximity of the Jewish colony in Smolensk to the center of the Empire. The district of Smolensk bordering on Poland harbored a group of White Russian Jews, who earned a livelihood by a trade profitable at that time, the lease of excise and customs duties. One of these big tax-farmers, a certain Borukh Leibov (son of Leib), even had the courage to build a synagogue for the few Jews of the village of Zverovich. This aroused the ire of the local Greek Orthodox priest, who in his *naïveté* was convinced that the establishment of a synagogue would result in diverting his flock from the Church and converting it to Judaism. The inhabitants began to bombard St. Petersburg with their protests, the elders of the Holy Synod became alarmed, the specter of the "Judaizing heresy" once more flitted across their vision, and, as a result, Empress Catherine I. issued, in March, 1727, an ukase[1] through the Supreme Secret Council, that Borukh and his associates be removed from their office in connection with the excise and customs duties, and "be deported immediately from Russia beyond the border."

A month later another even stricter ukase was promulgated by the Empress through the Supreme Secret Council, which affected all Jews in the border provinces, particularly those residing in Little Russia. The ukase decreed that "the Jews, both of the male and the female sex, who have settled in the Ukraina and in other Russian cities, be deported immediately from

[1 Pronounced *ookaz*, with the accent on the last syllable. The original meaning of the word is "indication," "instruction." It is applied to orders issued by the Tzar himself or, in the name of the Tzar, by the Senate.]

Russia beyond the border, and in no circumstances be admitted into Russia, of which fact they shall in all places be strictly forewarned." The exiles were forbidden to carry gold and silver coins abroad, into the Polish dominions. They were ordered to exchange them for copper money prior to their expulsion. This ukase was a gross violation not only of the ancient rights of the Jews who had been left in Little Russia after its annexation by Muscovy, but also of the autonomy of the province and its elective authorities, the hetmans, to whom the right of initiative belonged in such cases.

The arbitrariness of the central Government called forth the protest of the Little Russian Cossacks, who were otherwise far from friendly to the Jews. In the name of "the Zaporozhian army on both sides of the Dnieper"[1] Hetman Daniel Apostol addressed a petition to St. Petersburg, pleading for the admission of traveling Jewish salesmen to the Little Russian fairs, in view of their commercial usefulness. A reply to this petition may be found in an ukase which the Supreme Secret Council issued in 1728, in the name of Emperor Peter II., the latter still being a minor. One of its clauses runs thus:

> The Jews are permitted to visit temporarily the fairs of Little Russia for commercial purposes, but they are only allowed to sell their goods wholesale, and not retail, by ells and in pounds. The money taken in from the sale of these goods shall be used to buy other goods. In no circumstances shall they be allowed to carry gold and silver money from Little Russia abroad. . . . The [permanent] residence of the Jews in Little Russia is forbidden by virtue of the ukase of the previous year, 1727.

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[1] Little Russia possessed at that time its own military organization, consisting of regiments and "hundreds," under the command of native officers. At the head of the organization stood the commander-in-chief, called hetman [see p. 143, n. 1].

In this way the Jews who had been illegally deported were now "graciously" granted the right of temporary visits to the fairs. Moreover, even this right was hedged about by severe restrictions, such as the prohibition of retail business, and the compulsion of leaving in the country the money taken in for their goods, for the purpose of equalizing imports and exports.

In 1731, this act of "grace" was extended to the Government of Smolensk, and three years later another concession was wrested from the authorities. The representatives of the "Border Province of Sloboda," the present Government of Kharkov, petitioned the Russian ruler to grant permission to the Jews visiting the fairs to sell their goods not only wholesale but also retail, "by ells and in pounds," in view of the fact that "in the Sloboda regiments there are few business men, and their trade is unsatisfactory." Empress Anna complied with the request in 1774. In the same year the privilege concerning the retail trade of Jews at the fairs was extended to the whole of Little Russia, in compliance with a petition of its Christian inhabitants.

But this avalanche of "favors" and "privileges"—the partial restoration of rights which had been grossly trampled upon—suddenly stopped, and was followed by a series of cruel repressions. The change was prompted by the Muscovite fear of Jews, the traditional dread felt by the Russian people of the specter of "Jewish seduction." An occurrence had taken place which was enough to strike terror to the hearts of people with old Muscovite notions. The above-mentioned tax-farmer of Smolensk, Borukh Leibov, who, even after his expulsion, continued to cross the forbidden Polish-Russian frontier, had occasion, during his stay in Moscow, to come in close contact with Alexander Voznitzin, a retired captain of the

navy, and "seduced him." Voznitzin, who was wont to speculate about religious matters, studied the Bible under the guidance of his Jewish friend, and his eyes were opened. He realized that the Biblical doctrine of one God was incompatible with the dogmas of the Greek Church and with the cult of ikons, in which he had been brought up. Voznitzin became convinced of the truth of Judaism, and, having made up his mind to embrace the Jewish religion, he decided to brave the difficulties and dangers which such a step implied. He went to the little town of Dubrovna, in the Government of Moghilev, near Smolensk, where the son of Borukh Leibov resided, to undergo there the ceremony of circumcision and accept the principles and practices of Judaism. Voznitzin's conversion became known, and the Captain, together with his teacher Borukh, were brought to justice. They were conveyed to St. Petersburg, and turned over to the awe-inspiring "Chancellery for Secret Inquisitorial Affairs."

The accused were put on the rack and confessed their "crimes." Voznitzin admitted having embraced "the Jewish law," and having uttered "blasphemous words against the Holy Church," while Borukh Leibov owned that he had "seduced" Voznitzin from the path of Greek Orthodoxy. In addition, Borukh was accused of having, "together with other Jews," predisposed the common people in Smolensk in favor of the Jewish religion, and of having insulted, by word and deed, the local Russian Pope Abramius, in connection with the establishment of a Jewish synagogue in the village of Zverovich. The latter crimes, however, were not investigated further in view of the fact that the conversion of Voznitzin was sufficient to inflict the death penalty on Borukh. The Inquisitorial Court hastened to announce its verdict, basing

it upon the "statute" of Tzar Alexis Michaelovich. The report of the Senate elicited in 1738 an Imperial resolution,[1] decreeing that "both of them [Voznitzin and Borukh] shall be executed and burned, in order that other ignorant and godless people, witnessing this, shall not turn away from the Christian law, and such seducers as the above-mentioned Jew Borukh shall not dare to lead them astray from the Christian law and convert them to their own laws." The *auto-da-fé* took place in St. Petersburg, on a public square, in the presence of a large crowd of spectators, on July 15, 1738.

This one isolated incident was sufficient to rekindle in the Government circles of St. Petersburg the inveterate Muscovite hatred against "unbaptized Jews" and to justify further violence against them. It had come to the knowledge of the authorities that, contrary to the ukase of 1727, numerous Jews were still residing in Little Russia, being employed on the estates of the Russian landowners as arendars and innkeepers. It had also been ascertained that the Jews who came from the Polish part of the Ukraina to visit the fairs in many cases settled permanently in Little Russia. The Government found such a state of affairs unendurable. In 1739 the Senate decreed the expulsion of the Jews from Little Russia, whither in recent years they had penetrated "from the other side of the Dnieper." In reply to this Senatorial rescript, the Military Chancellery of Little Russia reported that an immediate expulsion of the Jews was fraught with danger, on account of the war with Turkey, which was going on at that time, "since their present expulsion might be accompanied by spying." The Cabinet of Ministers, acting upon the representation of the

[1 The term "resolution" (in Russian, *resolutzia*) is applied to a decision written by the Tzar in his own hand on the margin of the reports submitted to him.]

Senate, passed the resolution, that "the expulsion of the Jews shall be postponed until the termination of the present Turkish War." When the war was over, Empress Anna issued an ukase, in 1740, ordering the execution of the postponed expulsion. The number of Jews liable to expulsion was found to be 292 of the male sex and 281 of the female sex, who resided on 130 manorial estates, altogether a handful of 573 Jewish souls, who had obtained shelter on the outskirts of Russia.

3. Elizabeth Petrovna and the First Years of Catherine II.

The policy of religious intolerance was practiced assiduously during the reign of Elizabeth Petrovna (1741-1761). During the reign of this Empress, who divided her time between church services and court-balls, the persecutions of the adherents of other faiths were intensified. By order of the Holy Synod and the Senate, Greek Orthodoxy began to be disseminated among the pagan nationalities of the East, while those of them who, under the influence of the Tatars, had embraced Mohammedanism, were subjected to fines unless they adopted the religion of the state. In the hope of suppressing the Mohammedan propaganda, orders were given to demolish the mosques in many villages of the Governments of Kazan and Astrakhan. The destruction of the mosques was stopped only by the fear of Turkish reprisals, "in order that this rumor shall not reach those countries in which adherents of the Greek Orthodox persuasion live in the midst of Mohammedans, and that the churches existing there shall not suffer oppression."

The Jews living in the border provinces were subjected to similar treatment: they were expelled with one hand and

pushed into the doors of the church with the other. Towards the end of 1741, Elizabeth Petrovna issued a remarkable ukase. Referring to the decree of 1727 concerning the expulsion of Jews, the Empress states that "it has now come to our knowledge that some Jews in our Empire, and particularly in Little Russia, continue to live there under all kinds of pretence, being engaged in business or in keeping inns and taverns, from which circumstance no benefit of any kind, but, coming from such *haters of the name of our Savior Christ,* only extreme injury, can accrue to our faithful subjects." Hence the Empress "most graciously" commands that

> from our whole Empire, both from the Great Russian and Little Russian cities, villages, and hamlets, all Jews of the male and female sex, of whatever calling and dignity they may be, shall, at the publication of this our ukase, be immediately deported with all their property abroad, and shall henceforward, under no pretext, be admitted into our Empire for any purpose; unless they shall be willing to accept the Christian religion of the Greek persuasion. Such [Jews], having been baptized, shall be allowed to live in our Empire, but they shall not be permitted to go outside the country.

The ukase was to be printed and promulgated in the whole Empire, so as to gain wide circulation among the people and to inculcate in the Russian masses the proper sentiments towards "the haters of the name of our Savior Christ."

However, the Empress and her exalted prompters calculated wrongly. The cruel expulsion decree did not draw a single Jew into the fold of the Greek Orthodox Church, while the reason given in the ukase for the expulsion, "the extreme injury" inflicted by the enemies of Christ "upon our faithful subjects," failed to carry conviction to the latter. The ukase had been designed in particular to "benefit" the inhabit-

ants of the two border provinces of Little Russia and Livonia by eliminating the Jews from their midst. These inhabitants, however, speaking through their local representatives, declared that such "beneficence" would only result in ruining them. From Little Russia the Greek contractors of the customs duties complained to the Senate that the repressions against the Jews, which hampered their commercial visits to Poland, had caused great losses to the state revenues by lowering the income from imported goods, that a sudden expulsion of Jews, who were bound up with the Christian merchants by business interests and monetary obligations, would ruin both sides, and that it was therefore necessary to allow the Jews to retain their former right of free admission into Little Russia for business purposes.

Even more energetic representations were sent to the Senate from the Baltic province of Livonia. The gubernatorial administration of the province and the magistracy of the city of Riga stated that, in accordance with the promulgated ukase, the Jews living in the suburb of Riga and in the surrounding district had been ordered to leave within six weeks, but that this expulsion was bound to cause great injury to the exchequer and to spell ruin for the whole mercantile class. For the Polish pans and merchants, who had their Jewish brokers in Riga, would stop buying their goods there, and would prefer to import them, with the aid of their expelled Jewish middlemen, from Germany, so that "trade in Riga would fall off, and commerce might be destroyed entirely," the Russian merchants finding themselves unable to secure customers for "the goods imported by sea." The Livonians therefore pleaded to grant the Jews free admission into Riga for carrying on business, though it be only in the capacity of temporary residents.

Impressed by these representations, the Senate submitted a report to the Empress, in which it endeavored to convince her that for the sake of "promoting commerce," increasing the revenues of the exchequer, and guarding the interests of the Christian population in the "border localities," it was necessary to comply with the petitions of the Ukrainians and Livonians and grant the Jews free admission to both provinces and to other localities on the frontier, so that they may carry on temporary business during the time of the fairs, this privilege having been exercised by them in Little Russia since 1728, by virtue of earlier Imperial decrees. Elizabeth Petrovna read these convincing arguments of the Senate, but, blinded by religious fanaticism, refused to pay attention to them. On the reports submitted by the Senate, she put down, in December, 1743, the following laconic resolution[1]: "From the enemies of Christ I desire neither gain nor profit."

The Senate could do nothing but submit to the despotic will of the Empress. A month later, in January, 1744, an ukase was issued, demanding that immediate steps be taken to detect the Jews in Little Russia, Livonia, and other places, and expel all except those who were willing to be baptized.

> Henceforward—the Senatorial decree runs—the above Jews shall not by any means, under any conditions, and for any purpose whatsoever, be admitted into Russia, though it be for the fairs or for a short time only; nor shall any representations concerning their admission be further addressed to the Senate, and the Senate shall be duly informed when all the above [Jews] shall have been expelled.

In this manner Elizabeth Petrovna cleared these provinces of their Jewish population, where—for better or for worse—it

[1] See p. 253, n. 1.

had lived long before their annexation by Russia. A contemporary historian calculates that up to his time (1753) some 35,000 Jews had been banished from Russia.

The fanatical Empress searched with the vigilance of an inquisitor for the slightest trace of Judaism in her Empire. Since 1731 there had lived in St. Petersburg a learned physician, by the name of Antonio Sanchez, evidently a Sephardic Marano, who professed Judaism in secret. Originally invited from Holland, Sanchez occupied in St. Petersburg the post of body-physician at the courts of Anna Johannovna and her successors, and he was at the same time in charge of the medical department of the army. He subsequently became a member of the Academy of Sciences, and wrote a number of medical works, which drew the attention of the scientific world to him. In 1749 Sanchez was suddenly dismissed from the Academy of Sciences, and compelled to transfer his abode to Paris. It seems that Empress Elizabeth had found out the secret "crime" of her body-physician, which was none other than his loyalty to Judaism. "As far as I am aware"—the president of the Academy, Razumovski, wrote to Sanchez—"you have not been guilty of any wrong-doing against her Imperial Majesty or against any of her interests. But she finds it contrary to her conscience to tolerate in the Academy a man who has deserted the banner of Christ, and has joined the ranks of those who fight under the banner of Moses and the Old Testament prophets." When the famous mathematician Euler heard of Sanchez' expulsion, he wrote: "I doubt whether amazing actions of this kind will contribute towards the reputation of the Russian Academy of Sciences."

There was no one perhaps in the contemporary Government circles of Russia who was so ready to condemn this malicious

policy, inspired by Byzantine clericalism, as that cultured "Westerner," Empress Catherine II. (1762-1796). Nevertheless in the first years of her reign she found herself unable to change a policy which had already been hallowed by tradition, and was regarded as "national" and truly Russian. Catherine II., in endeavoring to justify the dethronement of her husband, the Prussophil Peter III., was bound, in the first years of her reign, to act against her own convictions and pose as a national ruler, anxious to follow in the footsteps of her Orthodox predecessors. We derive our knowledge of this fact from her own memoirs, in which, speaking of herself in the third person, she makes this confession:

On the fifth or sixth day after her accession to the throne, Catherine II. arrived at the Senate. It happened that on the agenda of that session was the question of the admission of Jews into Russia. The Senators unanimously declared that their admission was useful, but Catherine, in view of the circumstances at the time, found it difficult to give her assent. The Senator Count Odoyevski came to her aid. He rose up and said: "Before making a decision, perhaps your Imperial Majesty will consent to see the autograph decision which on a similar occasion was rendered by Empress Elizabeth." Catherine ordered the documents to be brought, and she found that Empress Elizabeth, prompted by piety, had written on the margin, "From the enemies of Christ I desire neither gain nor profit." It is necessary to observe that less than a week had passed since Catherine's accession to the throne. She had been placed on it for the defense of the Greek Orthodox faith; she had to deal with a pious people and with a clergy to which its estates had not yet been returned, and which, in consequence of this ill-fitting measure, had nothing to live on. The minds, as is always the case after such a great upheaval [the violent death of Peter III.], were in a state of great excitement. To begin her reign by the admission of Jews would not at all have helped to pacify their minds; to declare it as injurious was also impossible. Catherine acted simply: when the Procurator-General collected

the votes and approached her for her decision, she said to him, "I desire that this matter be postponed for another time." Thus it often happens that it is not enough to be enlightened, to have good intentions, and even the power to realize them.

In this way, in spite of the unanimous opinion of the Senate, that the admission of Jews was beneficial to Russia, and in spite of her own liberal frame of mind, Catherine II. left the Jewish question in its former state, being afraid of arousing against her the resentment of the reactionary element of the Russian people. In the very same year, on December 4, 1762, the Empress, in issuing a manifesto permitting all foreigners to travel and to settle in Russia, added the fatal formula, *kromye Zhydov* ("except the Jews").

Two years later, in 1764, Catherine II. received a petition from the Little Russian nobles and elders, who, together with the hetman, pleaded for the restoration of the autonomous "ancient rights" of Little Russia, which had been grossly violated by the Russian Government. Out of the twenty clauses of the document, one refers to the Jews. The representatives of the Little Russian people declare that the law barring Jews from entering their province had inflicted great damage on the local trade, because the Jews, "being inhabitants of a neighboring state, take a very large part in Little Russian commerce, buying the goods of Little Russia at a much larger price, and the foreign goods at a smaller price, as compared with that now prevailing." The petition concludes with these words:

That the above-mentioned Jews be granted domicile in Little Russia, with this we dare not trouble your Imperial Majesty. All we do is to plead most humbly that, *for the sake of promoting Little Russian commerce*, the Jews be allowed to visit Little Russia for free commercial transactions.

The petition was not granted, for even Catherine II. "dared not" repeal the inquisitorial resolution of Elizabeth Petrovna against "the enemies of Christ."

It was amidst conditions such as these that the event which marks a critical juncture in the history of the Jewish people took place. Starting with the year 1772, Russia began to acquire the inheritance of disintegrating Poland. The country which had stood in fear of a few thousand Jews was now forced to accept them, at one stroke, by the tens of thousands and, shortly afterwards, by the hundreds of thousands. Subsequent history will show in what way Russia endeavored to solve this conflict between her anti-Jewish traditions and the necessity of harboring in her dominions the greatest center of the Jewish Diaspora.

CHAPTER VIII

POLISH JEWRY DURING THE PERIOD OF THE PARTITIONS

1. The Jews of Poland after the First Partition

On the eve of the great crisis which overtook the Jews of Western Europe in the wake of the French Revolution, the vast Jewish center in Eastern Europe was in a state of political and social disintegration. We refer to the position of Polish Jewry during the interval between the first partition of Poland and the second (1772-1793).

The first vivisection had just been performed on the diseased organism of the Polish Republic.[1] Russia had chopped off one flank—the province of White Russia[2]; Austria had seized Galicia, and Prussia had helped herself to Pomerania and a part of the province of Posen. Correspondingly the compact organism of Polish Jewry was divided among the three Powers. One section of this huge mass, which lived a secluded and thoroughly original life of its own, suddenly became the object of "reformatory" experiments in the laboratory of Joseph II. Another section found itself in the rôle of a "tolerated" population in the royal barracks of Frederick II., who would fain have acquired the Polish provinces minus their Jewish inhabitants. A third portion came under the sway of Russia, a country which had not yet become reconciled to the presence of a handful of Jews on the border of her Empire, in the province of Little Russia.

[1 On this expression see p. 88, n. 1.]
[2 It consisted of the present Governments of Moghilev and Vitebsk.]

What was left of Polish Jewry after the surgical operation of 1772 experienced, after its own fashion, all the pre-mortal agonies of the doomed commonwealth, which was destined to undergo two more partitions. Dying Poland was tossing about restlessly, endeavoring to prolong its existence by the enactments of the Permanent Council or by the reforms of the Quadrennial Diet (1788-1791).[1] In connection with the general reforms of the country the need was felt of curing the old specific ailment of Poland, the Jewish Problem. The finance committee of the Quadrennial Diet gathered all available information concerning the number of Jews in the reduced kingdom and their economic and cultural status.

The following are the results of this official investigation, as embodied in the report of one of the members of the committee, the well-known historian Thaddeus Chatzki, who made a special study of the Jewish problem.

Officially the number of Jews residing in Poland and Lithuania about the year 1788 was computed at 617,032. Chatzki, fortified by an array of additional data, rightly points out that, owing to the fact that fiscal considerations caused the people to evade the official census, the actual number of Jews

[1 After the first partition of Poland the Government of the country was placed in the hands of a Permanent Council consisting of thirty-six members, who were to be elected by the Diets, and were to take charge of the five departments of the administration: foreign affairs, police, war, justice, and finance. The king was to be the president of the Council. The Diet, which assembled on October 6, 1788, abolished this Permanent Council, and set out to elaborate a modern Constitution, which was finally presented on May 3, 1791. While, according to Polish law, the Diets met only once in two years for six weeks (see above, p. 76, n. 1), the Diet of 1788 declared itself permanent. It sat for four years—hence its name, the Quadrennial Diet—until the adoption of the new Constitution in 1791 led to civil war and to the intervention of Russia.]

mounted up to at least 900,000 souls of both sexes. This computation agrees substantially with the authoritative statement of Butrymovich, a member of the "Jewish Commission" appointed by the Quadrennial Diet. For, according to this statement, the Jews of Poland formed an eighth of the whole population, the latter numbering 8,790,000 souls. The Jewish population, thus amounting to practically one million, multiplied rapidly, owing to the custom of early marriages then in vogue. The same custom, on the other hand, was responsible for increased mortality among Jewish children and for an ever-growing physical deterioration of the adolescent generation. The school training received by Jewish children was limited to the study of the religious literature of Judaism, particularly the Talmud.

As regards commerce, the Jews figured in it in the following proportions: 75% of the whole export trade of Poland and 10% of the imports lay in their hands. The living expenses of the Jewish business man were half as large as those of his Christian fellow-merchant, which fact enabled the Jew to sell his goods at a much lower figure. Bankruptcy was more frequent among Jewish business men than among Christians. In the provinces outside of Great Poland half of all the artisans were Jews. Shoemakers, tailors, furriers, goldsmiths, carpenters, stone-cutters, and barbers, were particularly numerous among them. In the whole country only fourteen Jewish families were found to engage in agriculture. Wealth among Jews was but very seldom retained for several successive generations within the same family, owing to frequent bankruptcy and to a propensity towards risky speculations. A twelfth part of the Jewish population was made up of "idlers," that is, people without a definite occupation. A sixtieth part consisted of beggars.

To these deductions, based on official findings, as well as on outside observation, the important fact must be added that one of the main pursuits of the Jews at that time was the liquor traffic, that is, the keeping of taverns in the towns and villages. As far as the manorial estates were concerned, the sale of liquors was closely connected with land-leasing and innkeeping. In leasing from the noble landowner the various items of agrarian wealth, such as dairies, pastures, timber, etc., the Jew farmed at the same time the "propination," the right of distilling and selling spirits in the taverns and inns. These pursuits often resulted in a clash between the Jew and the peasant, that outlawed serf who was driven to the tavern, not by opulence, but by extreme poverty and suffering, brought upon him by the heavy hand of the aristocratic landlord. The final stage in the economic breakdown of the peasant was reached at the door of the tavern, and the Jewish liquor-dealer was in consequence looked upon as the despoiler of the peasant. This accusation against the Jews was brought forward by the slaveholding magnates, who were the real cause of the impoverishment of their peasant serfs, and pocketed the proceeds of the "propination" which they let out to the Jews.

As for the Jews themselves, there is no doubt that the traffic in liquor had a demoralizing effect upon them. The position of the Jewish arendar, sandwiched between the spendthrifty and eccentric pan, on the one hand, and the downtrodden khlop, on the other, was far from enviable. In the eyes of the landowner the arendar was nothing but a servant, who received no better treatment at his hands than the khlop. If perchance the roads or bridges on the estate were found in bad condition, the arendar would sometimes be subjected to cor-

poral punishment for it. When the pan engaged in one of his frequent orgies, the first victims of his recklessness were the arendar and his family. A good illustration is afforded by an entry in the diary of a Volhynian country squire, from the year 1774:

The arendar Hershko [1] has remained ninety-one thaler in arrears from last term. I was forced to attach his goods. According to the clause of the contract I have the right, in case of non-payment, to keep him with his wife and children in prison as long as I like, until he pays up. I gave orders to have him put in chains and locked up in the pig-sty together with the swine; the wife and the bahurs [young sons] I left in the inn, except for the youngest son Layze [Lazarus]. The latter I took to the manor, and I had him instructed in the [Catholic] catechism and the prayers.

The boy in question was forced to make the sign of the cross and to eat pork. Only the arrival of Jews from Berdychev, who remitted the debt of the arendar, saved the father from imprisonment and the son from enforced conversion.

It is interesting to inquire into the causes which drove the Jewish populace into the unenviable pursuits of land-leasing and rural liquor-dealing. Although forming but one-eighth of the population of Poland, the Jews furnished 50% of the whole number of artisans in the realm and 75% of those engaged in the export trade—the export, be it noted, of agricultural products, such as timber, flax, skins, and all kinds of raw material. All these occupations were obviously insufficient for their maintenance. In Poland no less than in Western Europe neither the mercantile guilds nor the trade-unions, which to a considerable extent were made up of Germans, admitted Jewish artisans and merchants into their corporations, and as a result the sphere of Jewish activity was extremely limited.

[1 Popular Polish form of the Jewish name *Hirsch*.]

The same burghers and business men were also the predominating element in the composition of the magistracies, and in the majority of cities it lay in their power to grant or refuse licenses to their Jewish competitors for pursuing commerce or handicrafts. The clause in the Polish parliamentary Constitution of 1768, which placed the economic activity of the Jews in the cities under the control of the magistracies, might have been literally dictated by the latter. It ran as follows:

> Whereas the Jews inflict intolerable damage upon the cities and the burghers, and rob them of their means of subsistence. . . . , be it resolved that in all towns and townlets in which the Jews have no special, constitutionally guaranteed privileges, they be forced to conduct themselves according to the agreements entered into with the municipalities, and be forbidden, on pain of severe fines, to arrogate to themselves any further rights.

It goes without saying that these "agreements" with the Christian business men consisted as a rule in nothing else than the prohibition or limitation of local Jewish competition. In this manner the orginators of the parliamentary Constitution, the landed proprietors and townspeople, were those who forced the Jews out of the cities, and drove them into land-leasing and liquor-dealing.

The parliamentary Constitution of 1775, which was promulgated after the first partition of Poland, and instituted a supreme administrative body, the Permanent Council, increased the Jewish per capita tax from two gulden to three, to be levied on both male and female, and including the newborn. It also made the attempt, though not after the cruel pattern of Western Europe, to place certain restrictions on Jewish marriages. The rabbis were interdicted from performing the marriage service for the Jews who were not

engaged in one of the legitimate occupations, such as handicrafts, commerce, agriculture, or manual labor, or who were unable to indicate their sources of livelihood. Parenthetically it may be remarked that this law was never applied in practice.

Ancient Poland never had a "Pale of Settlement," the Jews being merely barred from residing in several so-called "privileged" towns. One of these forbidden places was the capital, Warsaw.[1] The Jews had long been refused the right of permanent settlement in that city. They were only allowed to sojourn there temporarily during the sessions of the various Diets, simultaneously with which the commercial fairs were generally timed to take place.

The parliamentary Constitution of 1768, in sanctioning this "ancient custom" of admitting the Jews temporarily into Warsaw, gave as its reason "the common welfare and the necessity of reducing the high cost of merchandise," this high cost resulting invariably from the absence of Jewish competition. In the capital the following procedure became customary: two weeks prior to the opening of the Diet the Crown Marshal informed the inhabitants of Warsaw by trumpet blasts that visiting Jews were permitted to engage in commerce and handicrafts, and two weeks after the conclusion of the session of the Diet trumpet blasts again heralded the fact that it was time for the Jews to take to their heels. Those who were slow in leaving the city were expelled by the police. As a rule, however, the exiles managed, under all sorts of pretexts, to return the day after their expulsion, in the capacity of new arrivals, and they continued to reside in the city for several weeks by "persuading" the inspectors of the marshal. As a result, Crown Marshal Lubomirski established a system of tickets for

[1 See p. 85.]

visiting Jews, each ticket costing a silver groschen, which granted the right of a five days' sojourn in the capital. Without such a ticket no Jew dared show himself on the street. The collection from these tickets netted an annual income of some 200,000 gulden for the marshal's treasury.

When some of the high Polish dignitaries, who owned entire districts in Warsaw, made the discovery that it was possible to convert Jewish rightlessness into cash, they began, for a definite consideration, to accord permission to the Jews to settle on their estates, which lay beyond the city ramparts. In this way there gradually came into being a settlement known under the name of New Jerusalem. The Christian burghers of Warsaw raised a terrible outcry demanding the literal application of the law which barred the Jews from settling permanently in the capital. Thereupon Lubomirski adopted stringent measures against the Jews, notwithstanding the protests of the highly-placed house-owners and regardless even of the intervention of the King. On January 22, 1775, the Jews were expelled from Warsaw; their homes in New Jerusalem were demolished, and all their goods were transferred to the armory or the barracks, where they were sold at public auction.

This was a severe blow to the mercantile Jewish population, which was now cut off from the political and industrial center of the country. The Jews had to content themselves again with temporary visits during the short term of the parliamentary sessions. In the course of time the former evasion of the law came into vogue again. In 1784 the administration, appealed to by the magistracy, once more undertook to clear the capital of Jews. The situation was modified somewhat towards the end of 1788, when the Quadrennial Diet began its sessions. The Jews were inclined to assume that,

inasmuch as the Diet was sitting permanently, their right of residence in the capital was no longer subject to a time limit. Accordingly the Jews began to flock to Warsaw, and several thousands of them were soon huddled together in the center of the city. This of course aroused the ire of the burghers and the magistracy against the new-comers, resulting subsequently in a sanguinary conflict.

In this manner law and life were constantly at odds, life turning law into fiction whenever in opposition to its demands, and law retaliating by dealing occasional blows at life.

The million Jews pressed their way into the eight millions of the native population like a wedge, which, once having entered, could not be displaced. For by occupying the originally empty place of the mercantile estate, the Jews had for many centuries served, so to speak, as a tie between the bipartite nation of nobles and serfs. Now a new wedge, the Christian middle class, was endeavoring to displace the Jewish element, but it failed in its efforts. For the Jewish population had become inextricably entwined with the economic organism of Poland, though remaining a stranger to its national and spiritual aspirations. This was the tragic aspect of the Jewish question in Poland in the period of the partitions.

Deeply stirred by the catastrophe of 1772, Poland fell to making reforms as a means of salvation. She was anxious to expiate her old sins and turn over a new leaf. Here she found herself face to face with the Jewish problem: a huge and compact population of different birth and creed, with an autonomous communal life, with a separate language, and with customs and manners of its own, was scattered all over the realm and interwoven with all branches of economic endeavor. This secluded population, which Polish legislation no less than the

arrogance of the nobility and the intolerance of the Church had estranged from political and civil life, survived as a relic of the old order, which was now tottering to its fall. The ruling class, which had brought about this state of things, was naturally loth to acknowledge its responsibility for the decomposition of Poland, and so the guilt was thrown on the shoulders of the Jews, in spite of the fact that their position was merely the product of the general caste structure of the nation. And when, in a fit of repentance, Poland began to dig down into her past, she discovered that one of her "sins" was the Jewish question, and she was bent on solving it.

Two solutions presented themselves at that moment. The one was of a repressive character, permeated with the old spirit of the nobility and clergy. The other was of a comparatively liberal character, and bore the impress of the policy of "compulsory enlightenment" pursued by the Austrian Emperor Joseph II. The former found its expression in the parliamentary project of Zamoiski (1778-1780); the latter was represented by the proposals of Butrymovich and Chatzki, who submitted them to the liberally inclined Quadrennial Diet in 1789.

One of the Polish historians rightly observes that "the celebrated ex-Chancellor [Andreas Zamoiski] drafted this law more for the purpose of getting rid of the Jews than of bringing about their amalgamation with the national organism [of Poland]." Zamoiski's project is semi-clerical and semi-bureaucratic in character. The Jews are to be granted the right of residence in those towns into which they had been admitted by virtue of former agreements with the municipalities, while other places are to be open to them only for temporary visits, to attend markets and fairs. In the cities the Jews are to settle in

separate streets, away from the Christians. Every Jewish adult is to present himself before the local administration and produce a certificate to the effect that he is either a tradesman owning property of the minimum value of a thousand gulden, or an artisan, arendar, or agriculturist. Those who cannot prove that they belong to one of these four categories shall be obliged to leave the country within a year. In case they refuse to leave voluntarily, they are to be placed under arrest, and sent to a penitentiary. Moreover, the author of the project, repeating the old ecclesiastic regulations, proposes to bar the Jews from those financial and economic functions, such as the leasing of crown lands, public contracts, and collection of revenues, in which they might exercise some form of control over Christians. For the same reason the Jews are to be interdicted from keeping Christian help, and so forth. Compulsory conversion of Jews is to be discountenanced; yet those already converted are to be removed from their old environment, and not to be allowed even to see their former coreligionists, except in the presence of Christians.

The Catholic clergy was so well pleased with Zamoiski's project that the Archbishop of Plotzk attached his signature to it. Having fortified himself by ecclesiastical and police safeguards, Zamoiski was at liberty to pay a scant tribute to the spirit of the age by including in his project the principle of the inviolability of the person and property of the Jew. After binding the Jew hand and foot by these draconian regulations there was indeed no necessity for further insulting him.

An entirely different position is taken by the anonymous author of a Polish pamphlet which appeared in Warsaw in 1782 under the title, "On the Necessity of Jewish Reforms

in the Lands of the Polish Crown." The writer, who disguises his identity under the pseudonym "A Nameless Citizen," is opposed to retrogressive measures, and favors legislation of an utilitarian and enlightened character. As far as the Jewish religion is concerned, he is willing to let the Jews keep their dogmas, but deems it necessary to combat their "harmful religious customs," such as the large number of festivals, the dietary laws, and so forth. It is important in his opinion to curtail their communal autonomy by confining it to religious matters, so that the Jews shall not form a state within a state. In order to stimulate the amalgamation of the Jews with the Polish nation, they are to be compelled to adopt the Polish language in their business dealings, to abandon the Yiddish vernacular, and to be interdicted from printing Hebrew books or importing them from abroad. On the economic side the Jews are to be barred from keeping inns and selling liquor in them, only handicrafts, honest business, and agriculture being left open to them. In this way the project of the "Nameless Citizen" seeks to render the Jews "innocuous" by compulsory amalgamation, just as the preceding project of Zamoiski endeavored to attain the same end by compulsory isolation. After having been rendered "innocuous," the Jew may be found worthy of receiving equal rights with his Christian fellow-citizens.

It is not difficult to discern in this project the influence of Joseph II.'s policy, which similarly sought to effect the "improvement" of the Jew through compulsory enlightenment and his amalgamation with the native population, as a preliminary for his attainment of equal rights. It seems that the project met with a friendly reception in the progressive circles of Polish society, which were animated by the ideas of

the eighteenth century. The anonymous pamphlet appeared in a second edition in 1785, and a third edition was published in 1789 by Butrymovich, a deputy of the Quadrennial Diet, who added comments of his own. A year later Butrymovich extracted from his edition the project of Jewish reform, and laid it before the committee of the Diet, which was then meeting amidst the uproar of the great French Revolution.[1]

As for the inner life of this Jewish mass of one million souls, it displays the same saddening spectacle of disintegration. The social rottenness of the environment, the poison of the decaying body of Poland, worked its way into Jewish life, and began to undermine its foundations, once so firmly grounded. The communal autonomy, which had been the mainstay of public Jewish life, was unmistakably falling to pieces. In the southwestern region, in Podolia, Volhynia, and Galicia,—the last having been annexed by Austria,—it had been shattered by the great religious split produced by Hasidism. The Kahal organization was tottering to its fall, either because of the division of the community into two hostile factions, the Hasidim and Mithnagdim, or because of the inertia of the Hasidic majority, which, blindly obeying the dictates of the Tzaddik, was incapable of social organization. In the northwestern region, in Lithuania and White Russia, —the latter having become a Russian province—the rabbinical party, going hand in hand with the Kahal authorities, was superior to the forces of Hasidism. Nevertheless the Kahal organization was infected by the general process of degeneration, which had seized the country at large in the partition period. The Jewish plutocracy followed the example of the Polish pans in exploiting the poor laboring masses. The

[1] See p. 280.

rabbinate, like the Polish clergy, catered to the rich. The secular and the ecclesiastic oligarchy, which controlled the Kahal, victimized the community by a shockingly disproportionate assessment of state and communal taxes, throwing the main burden on the impecunious classes, and thus bringing them to the verge of ruin. The *parnasim,* or wardens, of the community, as well as the rabbis, were occasionally found guilty of embezzlement, usury, and blackmail.

The oppression of the Kahal oligarchy went to such lengths that the suffering masses, unmindful of the traditional prohibition to appeal to the "law courts of the Gentiles," frequently sought to obtain redress from the Christian administration against these Jewish satraps. In 1782 representatives of the lower classes, principally artisans, of the Jewish population of Minsk, lodged a complaint with the Lithuanian Financial Tribunal against the local Kahal administration, which "was completely ruining the community of Minsk." They alleged that the Kahal leaders embezzled the receipts from taxation, and misappropriated the surplus for their own benefit, that by means of the herem (excommunication) they squeezed all kinds of revenues from the poor and appropriated their hard-earned pennies. The complainants add that for their attempt to lay bare the misdoings of the Kahal before the administration, they had been arrested, imprisoned, and pilloried in the synagogue by order of the Kahal wardens.

In Vilna, the capital of Lithuania, celebrated on account of its aristocracy of mind as well as its aristocracy of birth, a split occurred within the ranks of the Kahal oligarchy itself. For nearly twenty years there was a conflict between the Rabbi, a certain Samuel Vigdorovich (son of Avigdor), and the Kahal, or, more correctly, between the rabbinical party and the

Kahal party. The Rabbi had been convicted of corruption, drunkenness, biased legal decisions, perjury, and so on. The litigation between the Rabbi and the Kahal had, at an earlier stage, been submitted to a court of arbitration as well as to a conference of Lithuanian rabbis. Since the strife and agitation in the city did not subside, both parties appealed, in 1785, to Radziwill, the Voyevoda of Vilna, who decided in favor of the Kahal, and dismissed the Rabbi from office.

The common people, standing between the two belligerent parties, were particularly bitter towards the Kahal, whose abuses and misdeeds exceeded all measure. A little later, between 1786 and 1788, a champion of the people's cause appeared in the person of Simeon Volfovich (son of Wolf), who, acting as the spokesman of the Jewish masses of Vilna, had to struggle and suffer on their behalf. To ward off the persecution by the Kahal, Volfovich managed to obtain an "iron letter" from King Stanislav Augustus, guaranteeing inviolability of person and property to himself and to the whole Jewish commonalty, "which the tyranny of the Kahal had brought to the verge of ruin." This did not prevent the Kahal authorities from subjecting Simeon to the herem and entering his name in the "black book," while the Voyevoda, who sided with the Kahal tyrants, sent the mutinous champion of the people to the prison of Neswizh (1788). From there the prisoner addressed his memorandum to the Quadrennial Diet, emphasizing the need of a radical change in the communal organization of the Jews, and urging the abolition of the Kahal power, which pressed so heavily upon the people. This struggle between the Kahal, the rabbinate, and the common people shook to its foundations the social organization of the Jews of Lithuania shortly before the incorporation of this country into the Russian Empire.

A somber picture of the conduct of the communal oligarchy is supplied by one of the few broad-minded rabbis of the period:

> The leaders [rabbis and elders] consume the offerings of the people, and drink wine for the fines imposed by them. Being in full control of the taxes, they assess and excommunicate [their opponents]; they remunerate themselves for their public activity by every means at their disposal, both openly and in secret. They make no step without accepting bribes, while the destitute carry the burden. . . . The learned cater to the rich, and, as for the rabbis, they have only contempt for one another. The students of the Talmud despise those engaged in mysticism and Cabala, while the common people accept the testimony of both, and conclude that all scholars are a disgrace to their calling. . . . The rich value the favor of the Polish pans above the good opinion of the best and noblest among the Jews. The rich Jew does not appreciate the honor shown to him by a scholar, but boasts of having been allowed to enter the mansion of a Polish noble and view his treasures.

The rabbi complains in particular that the well-to-do classes are obsessed by a love of show; that the women wear strings of pearls around their necks, and array themselves in many-colored fabrics.

The education of the young generation in the heders and yeshibahs sank to ever lower depths. Instruction in the elements of secular culture was entirely out of the question. The Jewish school bore a purely rabbinical character. True, Talmudic scholasticism succeeded in sharpening the intellect, but, failing to supply concrete information, it often confused the mind. Hasidism had wrested a huge piece of territory from the dominion of Rabbinism, but, as far as education was concerned, it was powerless to create anything new. The religious and national sentiments of Polish Jewry had undergone a

profound transformation at the hands of Hasidism, but the transformation lured the Jews backward, far into the thickets of mystical contemplation and blind faith, both subversive of rational thinking and of any attempt at social reform.

In the last two decades of the eighteenth century, when the banner of militant enlightenment was floating over German Jewry, a bitter warfare between the Hasidim and Mithnagdim was raging all along the line in Poland and Lithuania, with the result that the consciousness of the political crisis through which Polish Jewry was then passing was dimmed, and the appeal from the West calling to enlightenment and progress was silenced. The specter of German rationalism, which flitted across the horizon of Polish Jewry, produced horror and consternation in both camps. To be a "Berliner" was synonymous with being an apostate. A Solomon Maimon was forced to flee to Germany in order to gain access to the world of new ideas, which were taboo in Poland.

2. The Period of the Quadrennial Diet (1788-1791)

The first year of the French Revolution coincided with the first year of Polish reform. In Paris the *états généraux* were transformed, under the pressure of the revolutionary movement, from a parliament of classes into a national assembly representing the nation as a whole. In Warsaw the new reform Diet, styled the Quadrennial, or the Great, though essentially a parliament of the Shlakhta, and remaining strictly within the old frame of class organization, reflected nevertheless the influence of French ideas in their pre-revolutionary aspect. The third estate, that of the burghers, was knocking at the doors of the Polish Chamber, demanding equal rights, and one of the principal parliamentary reforms con-

sisted in equalizing the burghers with the Shlakhta in their civil, though not in their political, prerogatives.

Two other questions affecting the inner life of Poland claimed the attention of the legislators touched by the spirit of reform: the agrarian and the Jewish question. The former was discussed and brought to a solution, which could not be other than favorable to the interests of the slaveholding landowners. As for the Jewish question, it cropped up for a moment at the tumultuous sessions of the Quadrennial Diet, and like an evil spirit was banished into the farthest corner of the Polish Chamber, into a special "deputation," or commission, where it stuck forever, without finding a solution.

It would not be fair to ascribe this failure altogether to the conservative trend of mind of the rejuvenators of Poland. There was an additional factor that stood in the way of radical reforms. Over the head of Poland hung the unsheathed sword of Russia, and Russia was averse to the inner regeneration of the country, which, having undergone one partition, was expected to furnish a second and a third dish for the table of the Great Powers. The Quadrennial Diet was a protest against the oppressive patronage of Russia, which was personified by her Resident in Warsaw, and had for its main purpose the preparation of the country for the inevitable struggle with her powerful neighbor. The "estates in Parliament assembled" had to think of reorganizing the army and filling the war chest rather than of carrying out internal reforms.

But outside the walls of the Chamber the current of public opinion was whirling and foaming. Side by side with the legislative assembly, a literary parliament was holding its deliberations, the famous pamphlet "literature of the Quadrennial Diet," reflecting the liberal currents of the eighteenth century.

The "Kollontay smithy"[1] alone, which was, so to speak, the publishing house of the reformers, flooded the country with pamphlets and leaflets touching upon all the questions connected with the social reorganization of the Polish body politic. Scores of pamphlets dealt partly or wholly with the Jewish question. The discussions on the projects of "Jewish reform" were conducted with intense passion, taking the place of parliamentary debates.

The impulse to the literary discussion of the Jewish question came from a pamphlet previously referred to, which had been published by Butrymovich, a representative of the city of Pinsk in the Diet, who stood out as the principal champion of the renaissance of Polish Jewry. The publication consisted of a reprint of the well-known pamphlet of "A Nameless Citizen," which had been circulated in two editions.[2] Butrymovich supplied the pamphlet with a new title ("A Means whereby to Transform the Polish Jews into Useful Citizens of the Country"), and garnished it with comments of his own. In this way the popular member of the Diet put the seal of his approval upon the reform project, which was based on the assumption that the Jews in their present state were detrimental to the country, not because of their intrinsic make-up, but on account of their training and mode of life, and that their political and spiritual regeneration had to precede their association with civil life. The proposed reforms reduced themselves to the following measures: to promote useful pursuits among the Jews, such as agriculture and handicrafts, and to remove them from the obnoxious liquor traffic; to combat their separateness by curtailing their Kahal autonomy;

[1] Kollontay (in Polish, *Kollontaj*) was a radical member of the Polish Chamber. See p. 291.]

[2] See p. 272 and p. 273.

to supersede the Yiddish dialect by the Polish language in school and in business; to prohibit the wearing of a distinctive costume and the importation of Hebrew books from abroad. This reform project was supplemented by Butrymovich in one particular: the Jews were not to be admitted to military service in person, until enlightenment had transformed them into patriots ready to serve their fatherland.

Yet even this project, imbued though it was with the spirit of patronage and compulsory assimilation, was deemed far too liberal by many representatives of advanced Polish society. One of the progressive Polish journals published "Reflections Concerning the Jewish Reform Proposed by Butrymovich" (December, 1798). The writer of the "Reflections" concedes a certain amount of "political common sense" in the project, but criticizes its author, because, "in his great zeal to preserve the rights of man, he shows too much indulgence towards the defects of the Jews." The anonymous journalist in turn demands the complete annihilation of the Kahal and limits the action of the Jewish communities to the exercise of a purely congregational autonomy. He also considers it necessary to restrict retail trade among the Jews in the cities, so that, having been dislodged from commerce, they might be induced to engage in handicrafts and agriculture.

Several magazine writers spoke far more harshly of the Jews, and adopted a tone bordering on anti-Semitism. The famous prelate Stashitz, the author of "A Warning to Poland" (Warsaw, 1790), who enjoyed the reputation of being a democrat, styles the Jews "a summer and winter locust for the country," and voices the conviction that only in an environment in which idleness is fostered could this "host of parasites" find shelter, entirely forgetting that these "para-

sites" had created the commerce of the country riven between nobles and serfs.

The majority of these vilifiers agreed in one point, that the defects of the Jews could be cured only by "reforming" their life from above. An ancient historic nation, which had for centuries managed its own affairs, was represented as a kind of riffraff, whose life could be easily recut after a new pattern. To achieve this end, all that was necessary was to let the Polish language take the place of Yiddish, to substitute the official Polish school for the traditional Jewish school, the magistracy for the Kahal, handicrafts and agriculture for commerce. The authors of the various schemes disagreed merely as to the extent to which the radical and compulsory character of these reforms should be pursued. Some suggested abolishing altogether the communal autonomy of the Jews (Kollontay); others would merely confine it to definite functions, and place the Kahal under the supervision of the Government (Butrymovich and others). Still others proposed to shave off the Jews' beards and earlocks, to burn the Talmud, and reduce the number of Jewish religious festivals. Others again were content with prohibiting the traditional Jewish costume and shutting down the Jewish printing-presses, proposing at the same time "to encourage the translation of Jewish religious literature into the Polish language." The plan of limiting the number of Jewish marriages after the Austro-Prussian model, by requiring a special permit of the police and a certificate testifying to the ability of the candidate to provide for his family and to his compliance with certain standards of general education, appealed to all the reformers. Several writers injected into the discussion of the Jewish question the specific problem of the Neo-Christians, the converts from

among the Frankist sect, who, having been merged with the Polish gentry and burgher class, were yet treated by them as strangers, and stood aloof equally from Christian and Jewish society. The majority of Polish writers endorsed the contemptuous attitude of Polish society towards these converts, who in point of fact fostered their old sectarian leanings, traveled abroad to do homage to Frank, and supplied him with money.

In the babel of voices condemning the entire Jewish population of the country and dooming it to a radical "refitting" by means of police measures, only one solitary Jewish voice made itself heard. Hirsch Yosefovich (son of Joseph), a rabbi of Khelm, published a pamphlet in Polish, under the title "Reflections Concerning the Plan of Transforming the Polish Jews into Useful Citizens of the Country." While giving Butrymovich full credit as an enlightened well-wisher of the Jews, the Rabbi expresses his amazement that even cultured men indulge in a wholesale condemnation of the Jewish people, and charge the misdeeds of certain individuals among them to the account of the whole nation, which is endowed with so many virtues, and is of benefit to the country in so many respects. The author emphatically protests against the proposed abolition of the Kahals and against outside interference in the religious affairs of the Jews, in a word, against the projects tending to assimilate the Jews with the Poles, which assimilation "was bound to result in the complete destruction of Judaism." As an Orthodox rabbi he refuses to budge an inch, even in the matter of a change in dress, slyly observing that once the Jews are put in the category of malefactors, it seems preferable to allow them to retain their traditional garb, so as to mark them off from the Christians.

At that time Warsaw evidently did not yet possess the type of cultured Mendelssohnians—they appeared in that city shortly thereafter, under the Prussian *régime*—who might have been in a position to engage in a literary discussion of the proposed reforms from the Jewish point of view. "Enlightenment" was then the exclusive privilege of a small number of Jews who, as agents or as purveyors of the Crown, came into contact with the Court or the Government. The project of one of these "advanced" Jews, the royal broker Abraham Hirschovich (son of Hirsch), has been preserved in the archives. In this project, which was submitted to King Stanislav Augustus during the sessions of the Great Diet, the author suggests some of the patent remedies of the Polish reformers: to induce the Jews to engage in handicrafts and agriculture "in the deserted steppes of the Ukraina" and to forbid early marriages. With regard to the change in dress, he advises beginning with the prohibition of luxurious articles of wear, such as silk, satin, velvet, pearls, and diamonds, the chase after finery having a ruinous effect on men of moderate means. Rabbis, in the opinion of Hirschovich, ought to be appointed only in the large cities, and not in the smaller towns, for the reason that in these towns, which are generally owned by the squires, the rabbis purchase their office from the latter, and then ruin their congregations by all kinds of assessments. The Kahals should be spared, except that the Government ought to maintain order in them, since the Jews themselves, on account of their differences of opinion, "cannot institute reasonable rules of conduct for themselves." The whole plan reflects the spirit of flunkeyism, ever obsequiously willing to yield to the powers that be in the matter "of eradicating the prejudices and misconceptions of an erring people."

During the year 1789 and the first half of 1790 the Jewish question did not come up at the sessions of the Quadrennial Diet. In the midst of the passionate debates raging around the supremely important bills involving the whole future of the body politic, the Diet remained deaf to the repeated reminders of Butrymovich, who demanded the same urgency for the proposed Jewish reform. Neither did the heated literary discussions centering on the Jewish question prompt the popular representatives to take it up more speedily. But at this juncture ominous shouts from the street began to penetrate into the Chamber of Deputies, and the Diet had to bestir itself.

The metropolitan mob had made up its mind to solve the Jewish question after its own fashion. To the Christian tradesmen and artisans of Warsaw the Jewish question was primarily a matter of professional competition. During the first two years of the Great Diet the old law which confined the Jewish right of residence in Warsaw to temporary visits during the brief sittings of the Diets, had automatically fallen into disuse. The Diet having prolonged its powers for a number of years, the Jews thought that they too had the right to prolong their term of residence. Accordingly an ever-growing wave of Jewish tradesmen and artisans in search of a livelihood began to flow from the provinces into the busy commercial emporium, and this new influx could not fail to affect the Christian middle class, inasmuch as the new-comers diverted purchasers and customers from the native tradesmen and artisans, who were affiliated with the guilds and trade-unions.

The privileged burghers, who by that time were on the point of being equalized with the Shlakhta in their rights, raised a cry of indignation. In March, 1790, a crowd of incorporated artisans, among them a particularly large number of tailors and

furriers, surrounded the town hall, and vowed to murder all Jews, should the magistracy refuse to expel them from Warsaw. John Dekert, a well-known champion of the burgher class, who was mayor at the time, immediately brought this demonstration to the notice of the Diet, and the latter dispatched two of its members to pacify the crowd. When asked by the deputies about the motive of the gathering, the artisans declared that the newly-arrived Jews made life intolerable by wresting the last earnings from the Christian tailors and furriers. The deputies promised to look into the matter. Accordingly, on the following day, the Jewish artisans and street venders were ordered out of the city, and only the merchants who had stores or warehouses were permitted to remain.

Penniless and homeless, the exiled Jews could do nothing but return surreptitiously to Warsaw soon afterwards. The agitation among the Christian population commenced anew, and on May 16, 1790, it vented itself in a riot. A certain Fox, a member of the tailors' union, happened that day to meet a Jewish tailor on the street who was carrying a piece of work in his hand. He suddenly attacked him, and began to pull the parcel out of his hands. The Jew tore himself away, and managed to escape. The shouts of Fox attracted a crowd of Christian artisans. Some one spread the rumor that the Jews had killed a Christian tailor. At once the cry for vengeance went up, and a riot began. The mob rushed into Tlomatzkie Street, but was beaten off by the Jews, who had taken shelter behind a fence. In the adjacent streets, however, "victory" perched on the banner of the mob. They looted private residences as well as stores and warehouses belonging to Jews, carrying off whatever was valuable, and throwing the rest into wells. The municipal guards, which came rushing along, were met by

a hail of stones and bricks. Only when a detachment of soldiers on foot and on horse appeared was the crowd dispersed and order restored.

Stirred by these events, the Diet gave orders to investigate the matter and bring the guilty to justice. Justice in the case of the Christian malefactors amounted to the arrest of Fox and the imprisonment of some of his accomplices. As for the Jews, severe administrative measures were adopted: any peddler or artisan found on the street with goods or orders was to be conveyed to the marshal's guard-chamber, punished with rods, and expelled. In such manner were Jewish artisans dealt with at a time when the projects for reform were full of eloquent phrases about the necessity of attracting the Jews to handicrafts in particular and productive forms of labor in general.

The agitation in Warsaw led moreover to consequences of a more serious nature. The Diet realized that further delay in considering the Jewish question was impossible now that the street had begun to solve it by its own simplified methods. On June 22, 1790, the Diet appointed a "Commission for Jewish Reform," which was composed of the deputies Butrymovich, Yezierski, the Castellan of Lukov,[1] and others. Yezierski, who soon became the chairman of the Commission, was an advocate of radical reforms, and as such came nearer than any of his colleagues to a just estimate of the economic aspect of the Jewish problem. In opposition to the current formula of "transforming the Jews into useful citizens," he declared in the Diet that in his opinion the Jews as it was were useful, because for a long time they had constituted the only mercantile element in Poland, and had rendered valuable services by exporting

[1 Lukov (in Polish, *Lukow*) is a district town in the province of Shedletz, not far from Warsaw. Castellan is the Polish title for the head of a district.]

abroad the products of the country and thus enriching it. Hence the favorable financial position of the Jews would be tantamount to a stronger position of the state finances and an increase by many millions in the circulation of money. The Commission, guided by Yezierski and Butrymovich, labored assiduously. It examined a number of reform projects submitted by Butrymovich, Chatzki, and others. Butrymovich's project was an extract from his own publication referred to previously. Similar in essence was the project of the well-known historian and publicist Thaddeus Chatzki, the guiding spirit of the finance committee of the Quadrennial Diet.[1]

In the beginning of 1791 the Commission of the Diet finished its labors on the Jewish reform project, and submitted it to the Diet for consideration. The project of the Commission, the text of which has not come down to us, was doubtless based on the proposals of Butrymovich and Chatzki. The Diet, completely absorbed in arranging for the promulgation of the Constitution of the third of May, was not in a position to busy itself with the Jewish question. Only after the Constitution had been promulgated in the session of May 24 was the Jewish reform project brought up again by Butrymovich, who claimed urgency for it. But at that juncture there arose another member of the Jewish Commission, by the name of Kholonyevski, a deputy from Bratzlav in Podolia, and announced that he considered the project of the Commission, with its extension of the commercial rights of the Jews, prejudicial to the interests of Little Poland, and therefore moved to recommend his own proposals to the attention of the House. The Diet was glad of an excuse for postponing the considera-

[1] Chatzki's project is reproduced in his famous book *Rozprawa o Żydach*, "Inquiry Concerning the Jews" (edition of 1860), pp. 119-134.

tion of this vexatious problem. Soon afterwards, in June, the Diet was adjourned, and it did not reassemble until September, 1791.

In this way the *magna charta* of Polish liberty—the Constitution of May 3, 1791—was promulgated without modifying in the slightest degree the status of the Jews. True, the new Constitution did not in any way alter the former caste system of the Polish Republic itself—the feudalism of the nobility, the servitude of the peasantry, and the privileges of the gentry. Nevertheless it conferred civil equality on the burgher class, and placed the representative institutions on a somewhat more democratic basis. Only the Jew, the cinderella of the realm, was completely cut off in this last will of dying Poland.

The sessions of the Diet, which were renewed in the fall of 1791, were surrounded by a particularly disquieting political atmosphere. The opponents of the new Constitution fomented an agitation in the country. Civil strife and war with Russia were imminent. Nevertheless the indefatigable Butrymovich had the courage to remind the Diet once again of the necessity of extending the protection of the Government to "the unfortunate nationality which is not in a position to effect its own rescue, and is not even aware of the direction in which the betterment of its lot may be found." He demanded that the Commission revise the project formerly elaborated by it, with a view to submitting it anew to the House, with such amendments as were "called forth by present-day circumstances." Butrymovich was warmly seconded by Yezierski, who in the same session (December 30) voiced the above-mentioned "radical" idea, that in his opinion the Jews were even now "useful citizens," and not merely likely to be "useful" in the

future. The Diet adopted the motion, and the Commission once more resumed its labors.

The results of these labors were minimal. After protracted deliberations the Commission arrived at the following conclusion:

> In order to improve the status of the Jewish population, it is necessary to regulate its mode of life. Such regulation is impossible unless that population is relieved from its Kahal indebtedness, which relief cannot be brought about until the finance committee has taken up the question of liquidation.[1]

The Commission accordingly felt that, before taking up the projected reforms, the Government should first point out ways and means of liquidating the Kahal debts. The resolution of the Commission was cheerfully passed in a plenary session of the Diet. A burden had been lifted from its shoulders. There was no more need of bothering about "Jewish reform" and "equality." It was enough to instruct the local courts to fix the extent of the Kahal debts and authorize the finance committee to wipe them off with moneys taken from the available Kahal funds or other special sources. Thus it came about that, under the pretext of liquidating Jewish debts, "Jewish reform" itself was liquidated.

Having been passed over by the Constitution of May 3, the Jews, if we are to believe the accounts of several contemporaries, made an attempt to influence the Government and the Diet through the instrumentality of King Stanislav Augustus,

[1] The Jewish communities of Poland were burdened with enormous debts, representing loans made by them in the course of many years, to pay off their arrears in taxes, to meet extraordinary expenditures, and so on. The creditors of the Jews were the municipal magistracies, the Catholic monasteries, as well as private persons. The question of liquidating these debts cropped up time and again at the sessions of the Polish Diets during the latter half of the eighteenth century.

approaching the latter with the help of their connections at court. Jewish public leaders are said to have assembled in secret and elected three delegates, who were to enter into negotiations with the King looking to the amelioration of the condition of the Jews. The three delegates carried out their mandate, towards the end of 1791 and the beginning of 1792, with the help of the Royal Secretary Piatoli as their go-between. Shortly thereafter they were received by the King in special audience, with great solemnity, the King, as the story has it, being seated on his throne during the reception. The Jews pleaded for civil rights as well as for the right of acquiring lands and houses in the cities, the preservation of their communal autonomy, and exemption from the jurisdiction of the magistracies. The story goes that the Jewish delegates held out the promise of a gift of twenty million gulden to pay the royal debts. Several leaders of the Diet, among them Kollontay, a radical, were initiated into the secret. The King, according to this report, endeavored to push the Jewish reform project through the Jewish Commission and the Diet, but failed in his efforts. The problem of ages could not be disposed of at this anxious hour when the angel of death was hovering over Poland, while the unfortunate land was exhausting its strength in a final dash for inner regeneration and outer independence.

3. The Last Two Partitions and Berek Yoselovich

The death struggle of Poland was approaching. The opponents of the May Constitution among the conservative elements of the country joined hands with the Russian Government, which in its own sphere of influence had always been a baneful stumbling-block in the path of progress. The result

was the formation of the Confederacy of Targovitza[1] and the outbreak of civil war (summer, 1792). Though severed from political life, the Jews nevertheless showed sympathy here and there with the men that fought for the new Constitution. The Jewish tailors of Vilna undertook to furnish gratis two hundred uniforms for the army of liberty. The communities of Sokhachev and Pulavy contributed their mite towards the patriotic funds. The Jews of Berdychev took part in the deputation of the local merchants which went to meet Joseph Poniatovski, the commander-in-chief of the Polish army, and presented him with new instruments for the regimental music bands. On many an occasion the Jewish communities of Volhynia and Podolia were the victims of enforced requisitions from both belligerent armies. The community of Ostrog had to undergo the bombardment of the city by the Russian army in July, 1792.

The year 1793 saw the second partition of Poland, between Russia and Prussia. Russia annexed Volhynia, with a part of the province of Kiev, Podolia, and the region of Minsk. Prussia, in turn, acquired the other part of Great Poland (Kalish, Plotzk,[2] etc.), with Dantzic and Thorn. Once more an enormous territory, with hundreds of thousands of Jews, was cut off from Poland. The unfortunate nation, seized with a paroxysm of pain at this new amputation, burst forth against its torturers. The Revolution of 1794 took its course.

At the head of the uprising stood Kosciuszko.[3] Having been reared in the atmosphere of two great revolutions—the American and the French—he had a loftier conception of civic and political liberty than the liberalizing host of the Polish

[1] In Polish, *Targowica*, a town in the Ukraina.]
[2] See p. 243, n. 1.]
[3] More exactly, *Kościuszko*, pronounced *Koshchushko*.]

Shlakhta. He was aware that no free country could exist without first abolishing the serfdom of the peasants and the inequality of the citizens. Even in the heat of his struggle for the salvation of the fatherland, the Polish leader occasionally gave proof of his democratic tendencies, and the oppressed classes could not but feel that this revolution was more than merely an affair of the Shlakhta.

The enthusiasm for liberty communicated itself to several sections of Polish Jewry. It was manifested during the prolonged Russo-Prussian siege of Warsaw in the summer and autumn of 1794, when the whole population was called to arms to defend the capital. The very same Jews who but a little while ago had been attacked on the streets of Warsaw by the burghers and artisans, and were mercilessly driven from the city by order of the administration, now, in the moment of danger, fought in the trenches shoulder to shoulder with their persecutors, digging ditches and throwing up earthworks. Frequently at an alarm signal the volunteers would rush out to fight back the besiegers. Amidst the whistling of bullets and bursting of shells they repulsed the enemies' attacks side by side with the other Varsovians, furnishing their quota in wounded and killed, and yet keeping up their courage. Among the Jews defending Warsaw the plan was conceived of forming a separate Jewish legion to fight for the country. At the head of this patriotic group stood Berek Yoselovich.[1]

Born about 1765 in the little town of Kretingen,[2] Berek had traversed the thorny path that led a poor Jewish boy from the Jewish religious school (heder) to the post of a pan's

[[1] *Berek*, or *Berko*, popular Polish form of the Jewish name *Baer*.—Yoselovich, in Polish *Joselowicz*, son of Yosel, or Joseph.]

[[2] In the province of Zhmud [or Samogitia, corresponding practically to the present Government of Kovno.]

agent. He entered the employ of a high noble, the Bishop of Vilna, by the name of Masalski, and was thereby launched upon his remarkable career. Masalski often went abroad, especially to Paris, and always took his Jewish agent with him. During these travels young Berek early acquired the French language, and observed the life of the Parisian salons in which the master moved. The plain Polish Jew perceived a new world, and he could not help scenting the new tendencies floating about in the air of the world's capital on the eve of the great Revolution.

During the years of the Quadrennial Diet Berek, who had given up his position with Masalski, and had married in the meantime, lived in Praga, a suburb of Warsaw. In the atmosphere of patriotic excitement, the vague impressions which his contact with the Polish nobility and his foreign travels had left upon his mind came to maturity. The heroic figure of Kosciuszko and the siege of Warsaw gave these vague sensations a concrete form. He realized that it was his immediate duty to fight for the freedom of the country, for the salvation of the capital, where Poles and Jews were equally shut off and cooped up by the hand of the enemy. Now was the time to prove that even the stepchildren of the nation knew how to fight in the ranks of her sons, and that they deserved a better lot.

Accordingly, in September, 1794, at the very height of the siege, Berek Yoselovich, conjointly with Joseph Aronovich (son of Aaron), a fellow-Jew of like mind, applied to Kosciuszko, the commander-in-chief, for permission to form a special regiment of light cavalry consisting of Jewish volunteers. Kosciuszko immediately complied with their request, and announced it joyfully in a special army order, dated September 17, extolling the patriotic zeal of the originators of the

plan, "who remember the land in which they were born, and know that its liberation will bestow upon them [the Jews] the same advantages as upon the others." Berek was appointed commander of the Jewish regiment. An appeal was issued calling for recruits and for contributions towards their equipment. Berek's appeal to his coreligionists was published in the official "Gazette" of Warsaw on October 1. It was written in Polish, though couched in the solemn phraseology of the Bible:

> Listen, ye sons of the tribes of Israel, all ye in whose heart is implanted the image of God Almighty, all that are willing to help in the struggle for the fatherland. . . . . Know ye that now the time hath come to consecrate to this all our strength. . . . . Truly, there are many mighty nobles, children of the Shlakhta, and many great minds who are ready to lay down their lives! . . . . Why then should we who are persecuted not take to arms, seeing that we are the most oppressed people in the world! . . . . Why should we not labor to obtain our freedom which has been promised us just as firmly and sincerely as it has been to others? But first we must show that we are worthy of it. . . . . I have had the happiness of being placed at the head of the regiment by my superiors. Awake then, and help to rescue oppressed Poland. Faithful brethren, let us fight for our country as long as a drop of blood is left in us! Though we ourselves may not live to see this [our freedom], at least our children will live in tranquillity and freedom, and will not roam about like wild beasts. Awake then like lions and leopards!

Berek's language is crude and naïve, and so is his political reasoning. While calling upon the Jews to join "the mighty nobles" in fighting for liberty, he evidently overlooked the fact that the liberty of the Jews was far from being secured by the liberty of the nobles, among whom men with the humani-

tarian tendencies of a Kosciuszko were few and far between.[1] Berek, however, found solace in the hope that the participation of the Jews in the struggle for Polish independence would bring about a change. He lived at a time when the Jews of Western Europe were eager to display their patriotic sentiments and civic virtues. Before his mind's eye there probably floated the figures of Jews who, since 1789, had served in the *garde nationale* of Paris.

Berek's enthusiasm succeeded in attracting many volunteers. In a short time a regiment of five hundred men was made up. The Jewish legion, which was hastily equipped with the scanty means supplied by the revolutionary Government and by voluntary contributions, had the checkered appearance of militia. Yet the consciousness of military duty was keen in these men, many of whom carried arms for the first time in their lives. The Jewish regiment displayed its dauntless and self-sacrificing spirit on that fatal November fourth, the day of the terrible onslaught upon Praga by the Russian troops under Suvarov. Among the fifteen thousand Poles who lost their lives in the intrenchments of Praga, in the streets of Warsaw, or in the waves of the Vistula, was also the regiment of Berek Yoselovich. The bulk of the regiment met its fate at the fortifications, being killed by Russian shells or bayonets. Berek himself survived, and fled abroad with General Zayonchek, Kosciuszko's comrade in arms, Kosciuszko himself having been made a Russian prisoner somewhat earlier. Berek was at

[1] That the habits of the Shlakhta were but little changed by the revolution may be gauged from the fact that in 1794 the revolutionary Central Council passed a law ordering the sale of crown lands for the purpose of paying the national debt, but limiting this sale to persons of the Christian faith.

first arrested in Austria, but he managed to escape and reach France, where he found himself among the Polish revolutionary refugees.

The third partition of Poland, which took place in 1795, transferred to Russia the backbone of the former Jewry of Poland, the dense masses of Lithuania, the provinces of Vilna and Grodno. Prussia absorbed the remainder of Great Poland, including Warsaw and Mazovia,[1] as well as the region of Bialystok. Austria rounded off her possessions in Little Poland by adding the provinces of Cracow and Lublin. Henceforward the fortunes of the Polish Jews are identical with those of their brethren in these three countries, and exhibit a "tricolored" appearance—Austro-Prusso-Russian.

However, even the third partition of Poland was not final as far as the political distribution of territory is concerned. For a short interval the ghost of a semi-independent Poland dances fitfully about. Twelve years after the third partition, Napoleon I., in juggling with the political map of Europe and calling mushroom states into being, snatched the province of Great Poland from the grasp of Prussia, and turned it into the Duchy of Warsaw, a small Polish commonwealth under the rule of the Saxon King Frederick Augustus III., a grandson of Augustus II., the last Polish King of the Saxon dynasty. This took place in 1807, after the crushing blow which Prussia had received at the hands of Napoleon and after the conclusion of the Peace of Tilsit. Two years later, in 1809, when Napoleon had shattered Austria, he tore off a section of her Polish dominions, and joined them to the Duchy of Warsaw.

[1 See p. 85, n. 1.]

4. The Duchy of Warsaw and the Reaction under Napoleon

Warsaw, having been cleared of the Prussians, once more became, after an interval of twelve years, the capital of a separate Polish state, resuscitated under the patronage of Napoleon. The Duchy of Warsaw, which was made up of the ten "departments," or districts, of Great and Little Poland, received from her French master a fairly liberal Constitution, two legislative chambers (the Diet and the Senate), and the "Code of Napoleon," which had just been introduced in France. The fundamental laws proclaimed the equality of all citizens; serfdom was abolished, and all class privileges were abrogated.

The Jews too cherished hopes for a better future. The nimbus of Napoleon as the originator of the "Jewish Parliament" and the Parisian Synhedrion, had not yet faded from the minds of the Jews, and they cherished the hope that the Emperor would extend his protection to the Polish Jews as well, but they were grievously disappointed.

The first year of the Duchy of Warsaw (1807-1808) coincided with a critical turn in Napoleon's own policy towards the Jews of France. The "Great Synhedrion" was disbanded, and its disbandment was followed by the humiliating Imperial decree of March 17, 1808, which for a decade checked in almost the entire French Empire the operation of the law providing for Jewish emancipation. This reactionary step was grist to the mill of those sinister forces in Poland which had learned nothing from the violent upheavals their country had undergone, and even now were not able to reconcile themselves to the idea of granting equality to the unloved tribe.

In the spring of 1808 the Government of the Duchy was forced to pay attention to the Jewish question, in consequence of a petition for civil rights presented by the Jews, and in connection with the impending elections to the Diet. The Council of Ministers, which had already been informed of Napoleon's decree, clutched at it as an anchor of salvation. A report was submitted to Duke Frederick Augustus, in which it was pointed out that "a somber future would be in store for the Duchy if the Israelitish nation, which is to be found here in vast numbers, were suddenly to be allowed to enjoy civil rights," the reason being that this people "cherishes a national spirit alien to the country," and engages in unproductive occupations. The Council of Ministers pointed to Napoleon's decree suspending the Jewish question for a time as a convenient means of evading the clause of the Constitution granting equal rights to all citizens.

To make sure of Napoleon's approval in this matter, the Government of Warsaw conducted negotiations with its agents in France and with the French minister Champagny, who was a Jew-hater. Napoleon's sympathetic attitude towards this anti-Jewish policy having been ascertained, the Duke promulgated on October 17, 1808, a decree to the following effect:

The inhabitants of our Varsovian Duchy *professing the Mosaic religion* shall be barred for ten years from enjoying the political rights they were about to receive, in the hope that during this interval they may eradicate their distinguishing characteristics, which mark them off so strongly from the rest of the population. The foregoing decision, however, will not prevent us from allowing individual members of that persuasion to enjoy political rights even before the expiration of said term, provided they will prove themselves worthy of our high favor, and will comply with the conditions which will be set forth by us in a special edict concerning the professors of the Mosaic religion.

In this way the Government of Warsaw in politely couched terms, phrased after the modern French pattern, managed to rob all the "professors of the Mosaic religion" of the rights of citizenship which the Constitution had granted them. It is true that the decree uses the words "political rights," but in reality the Jews were divested by it of their elementary civil rights. In November, 1808, they were forbidden to acquire patrimonial estates belonging to the Shlakhta. The humiliating restrictions attaching to the right of domicile in Warsaw were restored, and were embodied in a decree issued in 1809 which ordered the Jews to remove within six months from the main streets of the capital, except a few individuals, such as bankers, large merchants, physicians, and artists. There was a general tendency to return to the anti-Jewish traditions of the Old Polish and Prussian legislation.

The Jewish community became alarmed. By that time Warsaw already possessed a goodly number of "advanced" Jews, who had acquired the new culture of Berlin, and had divested themselves of the distinguishing marks in dress and outward appearance for which the Jews were penalized with the loss of rights. Relying upon the second clause of the ducal decree, which provided for the exceptional treatment of those who shall have "eradicated their distinguishing characteristics," a group of seventeen Jews of this type made representations to the Minister of Justice in January, 1809, to the effect that, "having endeavored for a long time, by their moral conduct and modern dress, to come into closer touch with the rest of the population, they are now certain that they have ceased to be unworthy of civil rights." To this flunkeyish petition the Minister of Justice, Lubenski—one of the "constitutional" ministers who managed to promote the interests of despotism

under the cloak of liberalism—retorted with coarse sophistry, that constitutional equality before the law did not yet make a man a citizen, for only those could claim to be citizens who were loyal to the sovereign, and looked upon this country as their only fatherland. "Can those"—added Lubenski—"who profess the laws of Moses look upon this country as their fatherland? Do they not wish to return to the land of their fathers? .... Do they not regard themselves as a separate nation? .... The mere change of dress is not yet sufficient." The Polish minister had, it would seem, made a thorough study of Napoleon's catechism on the Jews.

Aside from the representatives of this sartorial culture, who looked after their own personal advantage, there were among the Jews of Warsaw followers of the Berlin "enlightenment," who considered it their duty to make a stand for the rights of their people. On March 17, 1809, five representatives of the Jewish community of Warsaw submitted a memorandum to the ducal Senate, in which not only the note of entreaty but also the undertone of indignation could be discerned.

Thousands of *members of the Polish nation of the Mosaic persuasion*, who, by virtue of having dwelt in this country for many centuries, have acquired the same right to consider it their fatherland as the other inhabitants, have hitherto, without any fault of theirs, to the damage of society and as an insult to mankind, for reasons that no one knows, been doomed to humiliation, and are groaning under the load of daily oppressions.

Contrary to the enlightened spirit of the age and "the wisdom of the laws of Napoleon the Great"—the petitioners go on complaining—the Jews are denied civil rights, have no one to defend them in the Diet or the Senate, and sorrowfully anticipate that even "their children and descendants will not live to see happier times."

We carry a heavier burden of taxation than the other citizens. We are robbed of the gladsome opportunity of acquiring a piece of land, of building a little house, of founding a household, of erecting a factory, of engaging in commerce unhampered, in a word, doing that which God and nature hold out to man. In Warsaw we are even ordered out of the main streets. And what shall we say of those blessed liberties which citizens value most highly—the right of electing their superiors and of being elected by their compatriots, so as not to be as a dead body in the civic life of the nation? Is the land in which our fathers, paying heavily for this privilege, saw the light of the world, always to remain strange to us? Gentlemen of the Senate, we lay before you the tears of the fathers and of the children and of the coming generations. We beg you to hasten the happy day when we may enter upon the enjoyment of the rights and liberties with which Napoleon the Great has endowed the inhabitants of this country, and which our beloved country recognizes as the possession of her children.

To this petition of the Jews, who classed themselves as "members of the Polish nation," and were ready to renounce their own national characteristics, the Senate replied by presenting the Duke with a heartless report, in which it was pointed out that the Jews had brought upon themselves the "curtailment of their rights" by their "dishonest pursuits" and by "their mode of life, subversive of the welfare of society." It was necessary first to reform the life of the Jews and to appoint a committee to elaborate plans of reform. It may be remarked parenthetically that a committee of this kind had been in existence since the end of 1808, and had worked out a "plan of reform" akin in spirit to the projects of the Quadrennial Diet and the Parisian Synhedrion. But all these committees were in reality nothing but a decent way of burying the Jewish question.

At the very time when the Government of the Varsovian Duchy rejected the Jewish appeal for equality, under the

pretext that the Jews lacked patriotism, there lived and worked in Warsaw a shining example of Polish patriotism, Berek Yoselovich, the hero of the Revolution of 1794. After roaming about for twelve years in Western Europe, where, having enlisted in the ranks of the "Polish legions" of Domvrovski, he took part in many Napoleonic wars, Berek returned home as soon as the Duchy was established, and received an appointment as commander of a detachment in the regular Polish army. The dream of the old fighter had failed to come true. In vain had his "Jewish regiment" filled the trenches of Praga with their dead bodies. Twelve years later the brethren of those who had sacrificed their lives for their fatherland had to beg for the rights of citizenship. But Berek seems to have forgotten his former ambition on behalf of his fellow-Jews, having in the meantime become a professional soldier. It was solely Polish patriotism and personal bravery that prompted the last military exploits of his life. When, in the spring of 1809, war broke out between the Duchy and the Austrians, Berek Yoselovich, at the head of his regiment, rushed against the enemy's cavalry near the town of Kotzk.[1] He fell on May 5, after a series of heroic deeds.

The papers lamented the loss of the hero. A representative of the Polish aristocracy, the proud Stanislav Pototzki, devoted a special discourse to his memory at a meeting of the "Society of the Friends of Science" in Warsaw.

Thou hast saddened—thus spoke the orator—the land of heroes, thou valiant Colonel Berek, when unmeasured boldness drove thee into the midst of the enemy. . . . . Well doth the fatherland remember also thy old wounds and thy former exploits, remember eternally that thou wast the first to give thy people an example, an

[1 In Polish, *Kock*, near Warsaw.]

example of rejuvenated heroism, and that thou hast resuscitated the image of those men of valor over whom in days gone by wept the daughters of Zion.

The Polish nation remembered, and that for a short time only, the one Berek; but the thousands of his oppressed brethren were forgotten. The only way in which the gratitude of the "fatherland" manifested itself was a special order of the Duke granting permission to Berek's widow, who found it difficult to live and bring up her children on her scanty pension, to reside in the streets of Warsaw from which the Jews were barred, and "to engage there in the sale of liquor." Other civil privileges the Jews could not hope for, even by way of exception.

This state of affairs could not very well inspire the Jewish population with a great love for military service, although the Jews had been graciously permitted to discharge it in person. With few exceptions, the Jews preferred to pay an additional tax rather than spill their blood for a country which offered them obligations without rights. The decree of January 29, 1812, legalized this substitution of personal military service by a monetary ransom, the grand total of which amounted to 700,000 gulden a year.

On the brink of destruction, during the war tempest of 1812, the Duchy of Warsaw still found leisure to strike an economic blow at the Jews. At the suggestion of Minister Lubenski, a ducal decree was issued on September 30 forbidding the Jews, after the lapse of two years, to sell liquor and keep taverns, which meant, in other words, that tens of thousands of Jewish families were to be deprived of their livelihood. Secretly the Government justified this measure by the impending augmentation of the territory of the Duchy and the restoration of Old

Poland, where strict economic measures were necessary to keep the returning Jewish population in bounds. But the confidence reposed in the power of Napoleon was not justified. The idol was overthrown. The Duchy of Warsaw, the pale specter of an independent Poland, vanished into air, and the fate of the country again lay in the hands of the three Powers that had divided it, particularly Russia. The millions of Jews in Russian Poland were well aware of what they had to expect at the hands of their new rulers.

CHAPTER IX

THE BEGINNINGS OF THE RUSSIAN RÉGIME

1. The Jewish Policy of Catherine II. (1772-1796)

The quarantine which Russia, prior to Catherine II., had established for the "enemies of Christ," was broken through in 1772 by the first partition of Poland. At one stroke the number of Russian subjects was swelled by the huge Jewish masses of White Russia. The Russian Empire was augmented by a new province adjoining its central possessions, and together with the new region and its variegated population it acquired hundreds of thousands of subjects of the kind it had hitherto ruthlessly driven beyond its borders.

What was to be done with the unwelcome heritage bequeathed by Poland? The primitive policy of an Elizabeth Petrovna might have dictated some barbarous measure, such as the wholesale expulsion of the Jews from the newly-acquired territory. But the statesmanlike intellect of a Catherine could not, during the formulation of the liberal "Instructions,"[1] admit such barbarism, which moreover would have been incompatible with the new pledges the Russian Government had found it necessary to give to the heterogeneous population of White Russia at the time of annexation. In the "Placard" issued on this occasion by Count Chernyshev, the first Governor-General of White Russia, all residents, "of what-

[1 In 1766 Catherine convened a Commission, consisting of representatives of the various estates, for the purpose of elaborating a new Russian code of laws. As a guide for this Commission Catherine wrote her famous "Instructions" (in Russian *Nakaz*), outlining the principles of government, largely in the spirit of Montesquieu.]

ever birth and calling," were "solemnly assured by the sacred name and word of the Empress," that their religious liberty as well as their personal rights, and the privileges attaching to property and estate, would remain inviolate.

This "assurance" included the Jews, though not without qualification, as is shown by this passage:

> From the aforesaid solemn assurance of the free exercise of religion and the inviolability of property for one and all, it follows of itself that also the Jewish communities residing in the cities and territories now incorporated into the Russian Empire will be left in the enjoyment of all those liberties which they possess at present, in accordance with the [Russian] law and [their own] property. For the humaneness of her Imperial Majesty will not allow her to exclude the Jews alone from the grace vouchsafed to all and from the future prosperity under her beneficent rule, so long as they on their part shall live in due obedience as faithful subjects, and shall limit themselves to the pursuit of genuine trade and commerce according to their callings.

To be sure, the Jews, in contradistinction to the rest of the population, are promised the high Imperial favor on condition of "due obedience." Yet the inviolability of their former rights was solemnly guaranteed, and Russian politics had henceforward to be guided by it.

Immediately on the annexation of the new province a general census was ordered. According to the testimony of a contemporary, the number of Jews in White Russia was found to amount to over forty thousand families, about two hundred thousand souls. An ukase of 1772 imposed upon them a *per capita* tax of one rubel (50c.). The annexed territory was divided into two Governments, those of Moghilev and Polotzk, or, as it is called at present, Vitebsk. In the interest of the regular collection of taxes, the administration from

the very beginning gave instructions "to have all Jews affiliate with the Kahals and to institute such [Kahals] as the governors may suggest or as necessity for them may arise."

The problems connected with the inner organization of the Jews were of a more complicated character. Far-reaching changes were taking place at that time in the provincial and the social organization of the Russian Empire. In 1775 was promulgated the "Regulation Concerning the Governments."[1] In 1785 was issued the "Act Concerning Municipal Administration,"[2] and the authorities were confronted by an alternative: either to place the Jews under the general laws, according to the estate to which they belonged (in the cities the mercantile class, the burghers, and the trade-unions), or, in view of their peculiar conditions of life and the Kahal autonomy inherited from Poland, allow them to retain their own institutions as part of their communal and spiritual self-government. It was a difficult problem, and Russian legislation at first wavered between these two ways of solving it, with the result that matters became muddled. The interference of the local

[1 This law laid the foundation for the division of the Russian Empire into "Governments," in Russian *gubernia* (the English term is a reproduction of the French *gouvernement*). The chief of a Government is called Governor, in Russian, *Gubernator*. There are also a few Governors-General, in Russian, *Gheneral-Gubernator*, placed over several Governments, mostly on the borders of the Empire.]

[2 According to this new law, the city population is divided into merchants, burghers, and artisans. The burghers—in Russian (also in Polish, see above, p. 44, n. 2), *myeshchanye*—are placed below the merchants. The former are those possessing less than 500 rubels ($250); they have to pay the head-tax and are subject to corporal punishment. The merchants are those who have a larger capital, and are privileged in the two directions indicated. The artisans are organized in their trade-unions. Each estate is registered and administered separately.]

administration and the old rivalry among the various estates made confusion worse confounded.

The ukase issued by the Senate in 1776 sanctioned the existence of the Kahal, regarding it primarily as a fiscal and legislative institution, which the Russian administration found convenient for its purposes. At the instance of Governor-General Chernyshev, the Jews of White Russia were set apart as a separate tax-unit and as an estate of their own. They were to be entered on special registers in the towns, townlets, villages, and hamlets, wherever a census was taken. The instructions read that

> in order that their taxes may be more regularly remitted to the exchequer, Kahals shall be established in which they [the Jews] shall all be enrolled, so that every one of the "Zhyds,"[1] whenever he shall desire to travel somewhere on business, or to live and settle in one place or another, or to take anything on lease, shall receive a passport from the Kahal. The same Kahal shall pay the head-tax, and turn it over to the provincial exchequer.

Thus, as regards the payment of taxes, and the rights not only of transit but also of business, every Jew was placed in the same position of dependence on his Kahal as under the old Polish *régime*. At the same time the Kahal was endowed with certain judicial functions. District and Government Kahals, the latter conceived as courts of appeal, were established for cases between Jews, each of these Kahals being assigned a definite number of elective judges. Only lawsuits between Jews and non-Jews were to be brought before the general magistracy courts.

But a few years later the Government was shaken in its resolve to uphold the former Kahal organization to its full

[1 See p. 320, n. 2.]

extent. In 1782 an inquiry was addressed by the Senate to Passek, the new Governor-General of White Russia, as to the legality of establishing special Jewish law courts. A year later the Government took a decided step in the opposite direction. It recognized the rights of Jews registered in the merchant class to participation in the general city government, to elect and to be elected on equal terms with the Christian members of the magistracies, town councils, and municipal courts. The realization of this reform was greatly hampered by the opposition of the Christian merchants and burghers, who hated the Jews, and could not reconcile themselves to the municipal equality of their competitors. Having accustomed themselves to look down upon the Jews as citizens of an inferior grade, the Christian city officials assumed a hostile attitude towards their Jewish colleagues who had been elected to public posts, and by electioneering methods managed to reduce their numbers in the city corporations to a minimum. The interests of the Jews were bound to suffer, particularly as far as the administration of justice was concerned.

On the other hand, the administration itself began to oppress them. The liberal Chernyshev was superseded by the anti-Jewish Passek, who did his utmost to restrict the Jews in their economic activities, to the obvious advantage of their competitors in the ranks of the Shlakhta and the Christian merchants.

The Jews—a contemporary who had himself been affected by these measures informs us—were driven from their breweries and distilleries, their toll-houses, hostelries, etc., which formed their principal means of livelihood. Thousands of families were reduced to beggary. In addition, new restrictions were introduced affecting business, handicrafts, and so forth.

The acuteness of the economic and social crisis among the Jews of White Russia during that period of transition is evidenced by the petition which their delegates submitted in 1784 to Catherine II.

The petition, consisting of six points, is permeated with a profound feeling of despair. The Jews complain that the administration has deprived them completely of their main sources of income: distilling, brewing, and liquor-selling in the cities. They furthermore point out that Governor-General Passek has forbidden the landed proprietors to lease the inns on their estates to Jews, and that in consequence a large number of families, who depended for their livelihood on some form of liquor-selling and innkeeping, had been brought to the verge of ruin. They also contend that the Jews had not reaped the expected benefits from the equal municipal rights conferred upon them, for where the Jews are in a minority not a single Jewish candidate is admitted to a municipal or judicial office, "so that whenever a Jew goes to law against a Christian, he is liable to become the victim of a partial verdict, because there is no coreligionist to intercede on his behalf in the courts, and he is not familiar with the Russian language." Their further grievances relate to the arbitrariness of the landed proprietors, who "from sheer caprice, contrary to agreement," impose an excessive land rent on the Jews who have erected houses on their property, so that they are forced to abandon their houses. Sometimes houses are requisitioned for Government purposes, or are torn down "to be rebuilt according to [new official street] plans," without the slightest compensation to their owners. The magistracies, on the other hand, often compel the Jews who are domiciled in the townlets and villages, but are enrolled among the merchants or burghers

of some city, to build houses in that city, "whereby the Jews are liable to be reduced to extreme poverty, inasmuch as by spending their capital on building they have no capital wherewith to run their business."

The petition was received by the Empress, who, in forwarding it, in 1785, to the Senate for consideration, deemed it necessary to indicate her general attitude in the following "resolution":

> Her Majesty desires to have it pointed out that, inasmuch as the aforesaid persons of the Jewish religion have been placed by the ordinances of her Majesty in the same position as the others, it is necessary in every case to observe the rule that everyone is entitled to the advantages and rights appertaining to his calling or estate, without distinction of religion or nationality.

The Senate had to comply with the comprehensive and liberal-minded injunction of the Empress in endeavoring to solve the burning problems affecting Jewish life. The solution finally arrived at was a feeble compromise between the economic, national, and class interests which were contradictory to one another. In its ukase of May 7, 1786, the Senate partly fulfilled and partly declined the demands of the White Russian Jews. The right of pursuing freely the liquor trade in the cities was refused, in view of the fact that, according to the new law, liquor-dealing constituted a monopoly of the city administration. On the other hand, the Jews were accorded the rights of participating on equal terms with non-Jews in the public bids for the lease of the pothouses. Passek's rescript forbidding the landowners to let out distilleries and inns to the Jews was declared an illegal infringement of the rights of the landowners, and therefore ordered to be countermanded.

The complicated question as to the compatibility of municipal self-government with Jewish Kahal autonomy was equally solved by a compromise. With respect to the magistracies, town councils, boards of aldermen, and law courts, the Jews were accorded proportionate representation in agreement with the general provisions of the new city government. The common municipal courts, in which Jews were to be represented by elective jurymen of their own, were to handle both civil and criminal cases, not only between persons of different denominations, but also betwen Jew and Jew. The District and Government Kahals were to deal with spiritual affairs only. They were also to be charged with the distribution of the state and communal taxes in the various Jewish communities.

As for the complaints of the Jews against the oppression of the administration as well as of the magistracies and the landowners, all the Senate did was to point to the principle by which all the members of a given estate are equally vouchsafed the rights appertaining to it. The Senate even went so far as to bar all references to the former Polish laws with their discriminations against the Jews, "for, inasmuch as they [the Jews] are enrolled among the merchants and burghers on the same terms, and pay equal taxes to the exchequer, they ought in all circumstances to be given the same protection and satisfaction as the other subjects." Yet in the very same ukase the Senate refuses to grant the petition of several White Russian Jews who asked to be enrolled in the merchant corporation of Riga, basing its refusal on the absence of a special Imperial permit allowing the Jews to register as merchants outside of White Russian territory.

Here we have the first application of the ignominious principle of subsequent Russian legislation, that everything is forbidden to Jews unless permitted by special law. The ukase of 1786, with all its liberal phrases about the equality of the members of all classes irrespective of religion, imperceptibly instituted a Pale of Settlement by attaching the Jews to definite localities, which had been wrested from Poland, and refusing them the right of residence in other parts of Russia. The implied criticism of the Senate, directed against "the former Polish laws with their discriminations against the Jews," could with far greater justice be leveled in much sharper form against the Russian legislation which subsequently curtailed the Jewish right of transit and commerce to an extent undreamt-of even by the fiercest anti-Jewish restrictionists of Poland.

While in the first two decades after the occupation of White Russia the Russian Government observed a comparatively liberal, at least a well-intentioned, attitude towards the Jewish question, in later years it openly embarked upon a policy of exceptional laws and restrictions. The general reactionary tendency, which was partly the result of the "ominous" successes of the great French Revolution, and gained the upper hand in Russia towards the end of Catherine's reign, was mirrored also in the position of the Jews. At that juncture the second and third partitions of Poland (1793, 1795) were effected, and hundreds of thousands of Jews from Lithuania, Volhynia, and Podolia were added to the numbers of Russian subjects. The country, which barely a generation before had not tolerated a single Jew within its borders, now included a territory more densely populated by Jews than any other. Some means of reconciliation had to be found between these historic opposites, the traditional anti-Jewish policy of Russia,

on the one hand, and the presence of millions of Jews within its dominions, on the other, and such means were found in that system of Jewish rightlessness which since that time has become one of the principal characteristics of the political genius of Russian autocracy. The ancient Muscovite policy peeped out with ever greater boldness from beneath the European mask of St. Petersburg.

On the very eve of the second partition of Poland, when the Russian Government merely anticipated an influx of Jews, it had a fatal gift in store for them: the law of the Pale of Settlement, which was to create within the monarchy of peasant serfs a special class of territorially restricted city serfs. It should be added that the impulse towards the creation of this disability did not come from above but from below, from the influential Christian middle class, which, fearing free competition, began to shout for protection.

The first step in robbing the Jews of Russia of their freedom of movement was made a few years after the occupation of White Russia. The Jewish merchants of the White Russian Governments Moghilev and Polotzk (or, as the latter is called at present, Vitebsk) which border on the Great Russian Governments of Smolensk and Moscow, began to visit the two cities of the same name and carry on trade, wholesale and retail, in imported dry goods. They did a good business, for the Jewish merchants sold goods of a higher quality at a lower figure than their Christian competitors. This set the merchants of Moscow agog, and in February, 1790, they lodged a complaint with the commander-in-chief of Moscow against the Jews who sell "foreign goods by lowering the current prices, and thereby inflict very considerable damage upon the local trade." The complainants point to the ancient tradition of the Muscovite

Empire excluding the Jews from its borders, and assure the authorities that Jewish rivalry will throw the trade of Moscow into complete "disorder," and bring the Russian merchants to the verge of ruin.

The petition, which at bottom was directed not alone against the Jews, but also against the interests of the Russian consumer, who was exploited by the "real Russian" trade monopolists, found a sympathetic echo in Government circles. Accordingly, in the autumn of the same year, the Council of State, after considering the counter-petition of the Jews asking to be enrolled in the merchant corporations of Smolensk and Moscow, rendered the decision that it did not deem it expedient to grant the Jews the right of free commerce in the inner Russian provinces, because "their admission to it is not found to be of any benefit." A year later this verdict was reaffirmed by an Imperial ukase issued on December 23, 1791, to the effect that "the Jews have no right to enroll in the merchant corporations in the inner Russian cities or ports of entry, and are permitted to enjoy only the rights of townsmen and burghers of White Russia." To mitigate the severity of this measure the ukase "deemed it right to extend the said privilege beyond the White Russian Government, to the vice-royalty of Yekaterinoslav and the region of Tavrida," *i. e.* the recently annexed territory of New Russia, where the Government was anxious to populate the lonely steppes.

In this way the first territorial ghetto, that of White Russia, was established by law for the purpose of harboring the Jewish population taken over from Poland. When again, two years later, the second partition of Poland took place, the northwestern ghetto was increased by the neighboring Government of Minsk and the southwestern region—Volhynia

with the greater part of the Kiev province and Podolia. The ukase of June 23, 1794, conferred upon this enlarged Pale of Settlement the sanction of the law. The Jews were granted the right "to engage in the occupations of merchants and burghers in the Governments of Minsk, Izyaslav (subsequently Volhynia), Bratzlav (Podolia), Polotzk (now Vitebsk), Moghilev, Kiev, Chernigov, Novgorod-Seversk, Yekaterinoslav, as well as in the region of Tavrida." The ukase thus enlarges the former pale of Jewish settlement by including Little Russia, or the portion of the Ukraina which had been wrested from Poland as far back as 1654,[1]—in short, the territory from which the Jews had been assiduously driven "beyond the border" in the reign of the three Empresses preceding Catherine. The organic connection of Little Russia with the portion of the Ukraina on the right bank of the Dnieper which had just been annexed from Poland, left the Russian Government no other choice than to allow the Jews who had lived in those parts from time immemorial to remain there. Even the holy city of Kiev opened its gates to the Jews. The Dnieper became thereby the central river of the Jewish Pale of Settlement.

The third partition of Poland, in 1795, added to the Dnieper system that of the Niemen, the territory of Lithuania, consisting of the Governments of Grodno and Vilna.[2] This completed the process of formation of the Pale of Settlement, at the end of the eighteenth century. As for Eastern Russia, she was just as vigilantly on her guard against the penetration of

[1] It consisted of the Governments of Chernigov and Novgorod-Seversk (subsequently Poltava) and a part of the Government of Kiev.

[2] The present Government of Kovno was constituted as late as 1872. Its territory was up till then included in the Government of Vilna.]

the Jewish element as she had been in the time of the ancient Muscovite Empire.

The same ukase of 1794, which circumscribed the area of the Jewish right of residence, laid down another fundamental discrimination, that of taxation. The Jews, desirous of enrolling themselves in the mercantile or burgher class in the cities, were to pay the instituted taxes "doubly in comparison with those imposed on the burghers and merchants of the Christian religion." Those Jews who refused to remain in the cities on these conditions were to leave the Russian Empire after paying a fine in the form of a double tax for three years. In this way the Government exacted from the Jews, for the privilege of remaining in their former places without the right of free transit in the Empire, taxes twice as large as those of the Christian townspeople enjoying the liberty of transit. This punitive tax did not relieve the Jews from the special military assessment, which, by the ukases of 1794 and 1796, they had to pay, like the Russian mercantile class in general, in exchange for the personal discharge of military service.

It is interesting to observe that at the solicitation of Count Zubov, the Governor-General of New Russia, the Karaites of the Government of Tavrida were released from the double tax. They were also granted permission to own estates, and were in general given equal rights with the Christian population, "on the understanding, however, that the community of Karaites should not be entered by the Jews known by the name of Rabins (Rabbanites), concerning whom the laws enacted by us are to be rigidly enforced" (ukase of June 8, 1795). Here the national-religious motive of the anti-Jewish legislation crops out unmistakably. The handful of Karaites, who had for

centuries lived apart from the Jewish nation and its spiritual possessions, were declared to be more desirable citizens of the monarchy than the genuine Jews, who were on the contrary to be cowed by repressive measures.

A decided bent in favor of such measures is manifested in the ukase of 1795, which prescribes that the Jews living in villages be registered in the towns, and that " endeavors be made to transfer them to the District towns, so that these people may not wander about, but may rather engage in commerce and promote manufactures and handicrafts, thereby furthering their own interests as well as the interests of society." The effect of this ukase was to sanction by law the long-established arbitrary practice of the local authorities, who frequently expelled the Jews from the villages, and sent them to the towns under the pretext that Jews could be enrolled only among the townsfolk. The expelled families, deprived of all means of livelihood, were of course completely ruined, as the mere bidding of the authorities did not suffice to enable them " to engage in commerce and promote manufactures and handicrafts " in the towns in which even the resident merchants and artisans failed to make a living. The system of official tutelage had the effect of fettering instead of developing the economic activity of the Jews.

Experiments were now made to extend this tutelage to the communal self-government of the Jews. In 1795 the edict was repeated whereby the Government and District Kahals, in view of the right, conferred upon the Jews, of participating in the general city administration, in the magistracies and town councils, were to be deprived of their social and judicial functions, and not to be allowed " to concern themselves with any affairs

except the ceremonies of religion and divine service."[1] As a matter of fact, the active participation of the Jews in the municipalities, owing to the hostile attitude of the Christian burghers, was extremely feeble. Yet, in the interest of the exchequer, the Kahals were preserved for fiscal purposes, and, on account of their financial usefulness, they continued to function as the organs of Jewish communal autonomy, however curtailed and disorganized the latter had now become.

In this wise the restrictive legislation against the Jews appears firmly established towards the end of the reign of Catherine II. A "Muscovite" wall had been raised between the west and east of Russia, and even within the circumscribed area of Jewish settlement the tendency was discernible to mark off a still smaller area and, by forcing the Jews out of the villages, to compress the Jewish masses in the towns and cities. It fell to the lot of the successors of Catherine to consolidate this tendency into law.

In conclusion, the historian cannot pass over in silence the solitary "reform" of this period. In the legislative enactments of the last decade of Catherine's reign the formerly current contemptuous appellation "Zhyd" gave way to the name "Hebrew" (Yevrey).[2] The Russian Government found it impossible to go beyond this verbal reform.

[1] This was in direct violation of the pledge given by the Russian Government at the occupation of the Polish provinces. As recently as in January of the same year (1795) the Lithuanian Governor-General Repnin had replied to the application of the Lithuanian Jews, who pleaded for the maintenance of the Kahal tribunal, that the Jews "may retain the same rights they had been enjoying prior to the last [Polish] mutiny [of 1794]."

[2] *Zhyd*, originally the Slavic form of the Latin *Judaeus*, has assumed in Russian a derogatory connotation. It is interesting to note that in Polish the same word has no unpleasant meaning, although in polite speech other terms are used.]

2. Jewish Legislative Schemes during the Reign of Paul I.

The brief reign of Paul I. (1796-1801) added nothing of moment to the Russian legislation concerning the Jews. The law imposing a double tax was confirmed, and also the other restrictions were left in force. The area of Jewish settlement was increased by the newly-acquired Government of Courland, on the outskirts of the Empire. In this Duchy, which was annexed in 1795, there were several thousand Jewish inhabitants, who had been "tolerated" as foreigners, after the German pattern, and had only partly succeeded in forming a communal organization. The question now arose as to the best way of collecting the taxes from the itinerant chapmen who formed the bulk of the Jewish population, and were enrolled neither among the rural nor the urban estates, and were not even affiliated with Jewish communities. The Russian Government solved this question in 1799, by placing the Jews of Courland in the same position as their coreligionists in the other western Governments, and by granting them the right of enrolling themselves among the mercantile or burgher estates, as well as establishing their own Kahals. In this case fiscal considerations were responsible for the organization of the Jewish masses in the dominion of the German barons.

Having confined the Jewish population within the western pale, the Government could not very well hamper its freedom of transit within that pale, at least as far as moving from city to city was concerned. This elementary right of free transit was resorted to by many Jews of impoverished White Russia, who began to emigrate into the Little Russian provinces, particularly into the Government of Novgorod-Seversk, later the Government of Poltava, which were more prosperous, and less

crowded with Jews. The Government became aware of this internal transmigration, and could not abstain from taking it under its fatherly protection. Merchants were allowed to move unhampered from White Russia into Little Russia. Burghers, however, were permitted to emigrate only on the conditions applying to all persons of the taxable estates—they had to obtain certificates of dismissal (December, 1796).

Poor as was the reign of Paul in the field of concrete legislation concerning the Jews, it was rich in preliminary endeavors leading up to it. For his reign abounds in all kinds of projects looking to the regulation of the status of the Jews on the basis of official "investigations." In the outgoing years of the eighteenth century (1797-1800) the Government offices were feverishly busy in this direction. The Government was endeavoring to familiarize itself with the state of the former Polish provinces and particularly with the condition of the Jewish population. The first step in this pursuit after knowledge consisted in sending out a circular inquiry to the nobles and the higher officials of the region under consideration. The stimulus to this inquiry came in 1797, from a report submitted on account of the famine which had been raging in the Government of Minsk. Governor Karnyeyev of Minsk received orders from St. Petersburg to gather the opinions of the local Marshals, or leaders of the nobility, and on that basis supply "an elucidation of the causes of the impoverished condition of the peasants," with plans looking to their amelioration.

The shrewd device of questioning the landed aristocrats as to the causes of the impoverishment of their peasant serfs bore worthy fruit. Needless to say, the Polish magnates who assembled in Minsk at the invitation of the Government did not even for a moment think of reproaching themselves and

their own estate of slaveholders for the misery of the people enthralled by them. Instead they preferred to put the blame partly on external circumstances ("the changes and mutinies in the province," bad crops, poor means of communication, etc.), and partly on the Jews, "whom the owners [of the villages] retain as arendars and tavern-keepers, contrary to the orders of the authorities restricting their domicile to the cities." The Jewish tavern-keepers in the country, so the nobles allege, "lure the peasants into drunkenness," by selling them spirits on trust, and thereby "render them unfit to manage their affairs." In order to save the peasants, the Government should insist "that the right of distilling be open exclusively to the landowners, and be withheld from the Jews as well as other arendars and tavern-keepers," and that in the rural public houses "permission to sell hot wine [whiskey] be given only to the squires." To put it in other words, the peasants will thrive and be "fit to manage their affairs," if, instead of Jewish alcohol, they will imbibe the aristocratic alcohol of the landed proprietors.

One need not be a statesman to discover the underlying motive of this "opinion" of the nobles, who were concerned only about retaining the ancient alcohol monopoly which they had enjoyed under the Polish *régime* ("the right of propination"). This, however, did not prevent the Governor of Minsk from presenting the report of the nobility to the Tzar, who on July 28, 1797, put down the following "resolution":[1] "Measures are to be taken, in accordance with the proposals of the marshals of the nobility, to restrict the rights of the Jews who ruin the peasants." At the same time the Senate called the Governor's attention to Catherine's ukase ordering the trans-

[1 See p. 253, n. 1; for "propination" see p. 67, n. 2.]

fer of the Jews to the District towns, "so that these people may not wander to and fro to the detriment of society." This was tantamount to giving the authorities *carte blanche* in expelling the Jews from the villages.

In 1798 came the turn of the nobility of the Southwest, of Volhynia and Podolia, to state their wishes for the benefit of the fatherland. The marshals of Podolia, who met at Kamenetz, elaborated a much more comprehensive scheme of reform than their compeers in Minsk. After expressing their gratitude to the Tzar "for his Imperial benevolence in leaving us the franchise of liquor-dealing," the nobles plead that "neither the right of distilling nor that of selling liquor be let to Jews or even to Christians," and that the nobles themselves be granted the "liberty" of employing people in their "public houses at their own discretion." After securing the monopoly of intoxicating the people through their own bartenders, the nobles propose to transform the bulk of the Jews into export agents, to find foreign markets for the agrarian, *i. e.* manorial, products, "whence commercial profits will accrue both to the tillers of the soil (?!) and to the nobles." As for the other Jews, part of them were to be retained by the landowners in their public houses, and the rest were "to be forced to engage in agriculture and handicrafts."

This brilliant prospect of becoming the tools of the nobles for the disposal of rural products and the sale of manorial alcohol had evidently little fascination for the Jews themselves. Alarmed by these aristocratic designs, they held a consultation, and even called a conference of delegates. The conference met in Ostrog (Volhynia) in the summer of 1798, and decided to collect a fund and send a deputation to St. Petersburg, to lay before the Tzar the needs and wishes of the Jews of the

Southwest, whom the Government had entirely forgotten to ask how they themselves would like to have their affairs arranged. Unfortunately the Governor-General of the Southwest, Count Gudovich, "got wind" of these preparations. Far-sighted statesman that he was, he immediately suspected "that this collection [of money for the deputation] might merely serve as a cover for some wicked Jewish design." He accordingly confiscated the funds already secured, forbade all further collections, and hastened to report his achievement to St. Petersburg. To his astonishment, the overzealous Governor-General received the chilling reply, that the Tzar found nothing criminal in the desire of the Jews to send a deputation to him. At the same time he was instructed to return the confiscated money and not to interfere with the sending of the deputation (September, 1798). Whether the deputation actually proceeded to the capital, and what it achieved, is unknown. But the occurrence in itself bears witness to the fact that even in that unenlightened epoch and in the secluded Hasidic environment of Volhynia and Podolia, the Jews were not altogether insensible of the political and social upheavals which were taking place in Russia.

The last to respond to the Governmental inquiry was the nobility of Lithuania. The marshals of the nineteen Lithuanian districts, who met in 1800, submitted their "opinion," which had been adopted with only three dissenting votes, to Friesel, the Governor of Vilna. The three opposing marshals suggested leaving the Jews in the condition which had prevailed under the Polish *régime*. All the others drafted a plan of Jewish "reform," which was even more radical than that of the nobles of Minsk and Podolia. The Jews were to be barred not only from distilling and keeping taverns of their

own, but also from the sale of spirits in the manorial public houses. The Jewish rural population, which would thus be deprived of all means of subsistence, was to be transferred partly to the cities, partly "to be scattered over the crown and manorial settlements, where they might be allowed to grow corn and to mortgage and farm estates." The economic reform was to be supplemented by one affecting the inner life of the Jews. It was necessary "to abolish the Jewish costume and introduce among the Jews the form of dress customary among the other inhabitants." Altogether the separateness of the Jews was to be broken down, for "they constitute a people by themselves, and as such have their own administration . . . in the form of synagogues and Kahals, which not only arrogate to themselves spiritual authority, but also meddle in all civil affairs and in matters appertaining to the police." These measures would bring about the amalgamation of the Jews with the surrounding population.

The "reformatory" ardor of the Lithuanian nobles, who thought it necessary to bracket the problem of Kahal autonomy with the sale of alcohol, was the effect of outside interference. Friesel, the Governor of Vilna, who was a cultivated German, and as such was acquainted with the state of the Jewish problem in Germany, found it necessary to address himself to the Lithuanian marshals twice, their first statement having been found "unsatisfactory." Only a second revision of the views of the nobles, which included the plan of inner reforms, satisfied Friesel. In April, 1800, Friesel forwarded these recommendations to the Senate, accompanying them by his own comprehensive memorandum, which to a large extent was obviously based on Chatzki's and Butrymovich's

projects submitted some ten years previously to the "Jewish Commission" of the Quadrennial Diet.

Friesel urges the necessity of a "general reform," and professes to take Western Europe as a model, but all he adopted thence was the most objectionable tactics of "enlightened absolutism." In his opinion "the education of the Jewish people must begin with their religion." It is necessary "to wipe out all Jewish sects with their superstitions and to forbid strictly the introduction of any innovations whereby impostors might seduce the masses and plunge them into ever greater ignorance," a veiled allusion to the Hasidim and in particular to their Tzaddiks, whose strife with the anti-Hasidic rabbis was engaging the attention of the Russian Government at the time. He further recommends that the Jews be forced to send their children to the Government schools, to conduct all their business in Polish, to wear the customary non-Jewish form of dress, and not to marry before the age of twenty. Finally the Jews are to be classified in three categories, merchants, artisans, and tillers of the soil, these three estates to form part of the general class stratification of the Empire. In this way the fiscal services of the Kahals could be dispensed with, and the Kahals themselves would pass out of existence automatically.

The suggestions of the leaders of the nobility as well as the proposals of the governors were turned over in the spring of 1800 to the Senate, whose function was to examine and utilize them for a new legal enactment or "statute." Here they happened to fall into the hands of one of the Senators, Gabriel Dyerzhavin, the celebrated Russian poet, who by the whim of fate was soon to blossom forth into a "specialist" *in rebus Judaicis.*

3. Dyerzhavin's "Opinion" on the Jewish Problem

Dyerzhavin was born in one of the remote eastern provinces of Russia, and spent the greater part of his life in the Government offices of St. Petersburg. He had never come in contact with the Jewish population, until, in 1799, he was dispatched to the little town of Shklov in White Russia, to look into the case of the owner of the town, a retired general by the name of Zorich. The latter had been one of the favorites of Catherine, and lived the fast and extravagant life of a Russian country squire in the town which was his private property. His typically Russian devil-may-care conduct was not calculated to spare the large Jewish population of the town. Zorich evidently fancied that the Jews living on his land were just as much his serfs as were the peasants, and he handled them in the way serfs were dealt with in those days. He expelled several of them from the town, and seized their houses. Others he beat with his own hands, and still others he forced to supply him with drink free of charge. The Jews appealed to the Government against this attempt to turn them into serfs, and it was in response to their appeal that Emperor Paul dispatched Senator Dyerzhavin, with instructions to curb the violence of the boisterous squire. Dyerzhavin, who was imbued with the spirit of serfdom, could not but take a mild view of the high-handed methods of Zorich, and came to the conclusion that the Jews were partly to blame for the disorders that had taken place. The death of Zorich in 1800 put a stop to the case, but theoretically the Senate decided that, according to Russian law, the Jews, by virtue of their being members of the merchant and burgher class, could not be regarded as serfs even in the towns and settlements owned by squires.

A year later Dyerzhavin was again dispatched to White Russia, this time invested with very large powers. The province was in the throes of a terrible famine, brought about not only by bad crops but also by the outrageous conduct of the landed proprietors. These gentlemen, instead of supplying their peasants with foodstuffs, preferred to send large quantities of grain either abroad, for sale, or into their distilleries, for the production of whiskey, which, instead of feeding the peasants, poisoned them. In dispatching Dyerzhavin to White Russia, Emperor Paul gave him full power to put a stop to these abuses and to inflict severe penalties on the squires, who, "moved by unexampled greed, leave their peasants without assistance." They were to be dispossessed, and their estates placed under state control (June 16, 1800). In a supplementary instruction added by the Procurator-General of the Senate, Obolanin, the following clause was added: "And whereas, according to information received, the exhaustion of the White Russian peasants is to a rather considerable extent caused by the Zhyds, it is his Majesty's wish that your Excellency may give particular attention to their part in it and submit an opinion how to avert the general damage inflicted by them." This unmistakably anti-Semitic postscript, to which Dyerzhavin was in all likelihood a party, to which at all events he gave his approval, was designed to mitigate the blow aimed at the squires and turn it against the Jews. The conspiracy of these two bureaucrats, who believed in serfdom and sided with the squires, put an altogether different complexion on Dyerzhavin's mission.

The pacification of White Russia was speedily accomplished. Dyerzhavin placed the estate of one Polish magnate under state control, and personally closed up a Jewish distillery in the

town of Lozno, the residence of the famous Hasidic Tzaddik, Rabbi Zalman Shneorsohn. He proceeded with such energy that one Jewish woman complained of having received blows at his hands. After having "installed order," Dyerzhavin set out to do what he considered to be his main task—prepare an elaborate memorandum concerning the Jews, under the characteristic title, "Opinion of Senator Dyerzhavin Concerning the Averting of the Want of Foodstuffs in White Russia by Curbing the Avaricious Pursuits of the Jews, also Concerning Their Re-education, and Other Matters."

The very title betrays the underlying motive of the writer, to make the Jews the scapegoat for the economic ruin of the province, in which the squires had always been the masters of the situation. But Dyerzhavin did not confine himself to the evaluation of the economic activity of the Jews. He was no less anxious to depict their inner life, their beliefs, their training and education, their communal institutions, their "moral situation." For all these purposes he drew upon a multitude of sources. While writing his memorandum in Vitebsk, in the fall of 1800, he gathered information about the Jews from the local anti-Jewish merchants and burghers, and from the "scientific" instructors at the Jesuit College in the same city, in the court-houses, and—from "the very Cossacks themselves."

It must be added that Dyerzhavin also had in his possession two projects from the pen of "enlightened Jews." The author of one of them, Nota Shklover by name, a wealthy merchant, who had served as purveyor to Potemkin's army, and, living at that time in St. Petersburg, knew the drift of opinion in Government circles, proposed to attract the Jews to manufacturing, which should be introduced, in connection

with agriculture and cattle-breeding, into colonies set apart for this purpose " in the neighborhood of the Black Sea ports." The originator of the second project, a physician from Kreslavka, in the Government of Vitebsk, by the name of Frank,—evidently a German Jew of the Mendelssohnian type—suggested that the Government through Dyerzhavin focus its attention on the reform of the Jewish religion, which " in its original purity rested on unadulterated Deism and the postulates of pure morality," but in the course of time was distorted by " the absurdities of the Talmud." Frank accordingly proposes to follow the example set by Mendelssohn in Germany, to throw open the Russian public schools to the Jews, and to teach their children Russian, German, and Hebrew, implying of course that the Jew thus educated will not fail to prove himself of unquestionable benefit to the country.

Aside from these projects, Dyerzhavin had before him specimens of several Prussian *Juden-Reglements,* as well as the recommendations of the marshals and governors of Western Russia referred to above, and similar documents.[1] This material sufficed for the Russian official, who had caught no more than a fleeting glimpse of the Jews while passing through White Russia, to elaborate a most comprehensive " Opinion " demanding a complete transformation of Jewish life.

The somber picture which Dyerzhavin draws of the life of the Jews suffices to show how superficial was his acquaintance

[1] Dyerzhavin's statement, that he had " borrowed his principal ideas from Prussian institutions," refers in all likelihood to the well-known Prussian *Juden-Reglement für Süd-und-Neuostpreussen* of 1797, which was at that time operative in the whole of Prussian Poland. There are numerous points of contact between Dyerzhavin's project and the Prussian enactment. The latter may be found in the work of Rönne and Simon, *Verhältnisse der Juden in den sämmtlichen Landestheilen des preussischen Staates,* ed. 1843, pp. 281-302.

with the conditions he describes. The *naïveté* with which he judges and completely distorts many aspects of Jewish life is astounding. The economic pursuits of the Jews, such as trading, leasing of land, innkeeping, brokerage, are nothing but "subtle devices to squeeze out the wealth of their neighbors, under the guise of offering them benefits and favors." The Jewish school is "a hotbed of superstitions." Moral sentiments are entirely absent among Jews: "they have no conception of lovingkindness, disinterestedness, and other virtues." All they do is "to collect riches in order to erect a new temple of Solomon or [to satisfy] their fleshly desires."

This curious bit of characterization forms the preamble to a vast scheme, consisting of no less than eighty-eight clauses, looking to the "transformation of the Jews." The Jews are to be placed under "Supreme [*i. e.* Imperial] protection and tutelage" and to be supervised by a special Christian official, a "Protector," who, with the assistance of committees to be appointed by the gubernatorial administrations, shall carry out this work of "transformation," shall take a census of all the Jews, and provide them with family names. Thereupon the Jews shall be divided into four categories: merchants, urban burghers, rural burghers, and agricultural settlers, and every Jew shall be forced to register in one of these categories. All this mass of Jews is to be evenly distributed over the various parts of White Russia, and the surplus transferred to the other Governments.

This reform having been accomplished, the Kahals shall be dispensed with. To provide for the management of the spiritual affairs of the Jews, "synagogues," with rabbis and "schoolmen," are to be organized in the various Governments.

A supreme ecclesiastic tribunal is to be established at St. Petersburg, under the name "Sendarin,"[1] which shall be presided over by a chief rabbi, or "patriarch," after the pattern of the Mohammedan mufti of the Tatars.

Suggestions of various repressive and compulsory measures supplement these positive proposals. The Jews are to be forbidden to keep Christian domestics; they are to be deprived of their right of participating in the city magistracies; they are to be compelled to give up their distinct form of dress and to execute all deeds and business documents in Russian, Polish, or German. The children shall be allowed to go to the Jewish religious schools only up to the age of twelve, and shall afterwards be transferred to the secular schools of the state. Finally the author proposes that the Government establish a printing-office of its own, to publish Jewish religious books "with philosophic annotations." In this way, Dyerzhavin contends, will "the stubborn and cunning tribe of Hebrews be properly set to rights," and Emperor Paul, by carrying out this reform, will earn great fame for having fulfilled the commandment of the Gospels, "Love your enemies, bless them that curse you, do good to them that hate you."

Such is Dyerzhavin's project, a curious mixture of the savage fancies of an old-fashioned Muscovite about an unfamiliar historic culture on the one hand, and notions of reform conceived in the contemporary Prussian barrack spirit and various "philosophic" tendencies on the other hand, a medley of hereditary Jew-hatred, vague appreciation of the historic tragedy of Judaism, and the desire to "render the

[1] This is the way Dyerzhavin spells the word Synhedrion, or Sanhedrin, which he evidently had picked up casually.

Jews useful to the state."[1] And over it all hovers the spirit of official patronage and red-tape regulations, the curious notion that a people with an ancient culture can, at the mere bidding of an outside agency, change its position like figures on a chess-board, that strange faith in the saving power of *mechanical* reforms which prevailed, though in less naïve manifestations, also in Western Europe.

Dyerzhavin's "Opinion" was laid before the Senate in December, 1800, and together with the previously submitted recommendations of the West-Russian marshals and governors was to supply the material for an organic legal enactment concerning the Jews.

But the execution of this plan was not destined to take place during the reign of Paul. In March, 1801, the Tzar met his tragic fate, and the cause of "Jewish reform" entered into a new phase, a phase characterized by the struggle between the liberal tendencies prevalent at the beginning of Alexander I.'s reign and the retrograde views held by the champions of Old Poland and Old Russia.

[1] The following sentence in Dyerzhavin's "Opinion" is typical of this mixture of medieval notions with the new system of "enlightened patronage": "Inasmuch as Supreme Providence, in order to attain its unknown ends, leaves this people, despite its dangerous characteristics, on the face of the earth, and refrains from destroying it, the Governments under whose scepter it takes refuge must also suffer it to live; assisting the decree of destiny, they are in duty bound to extend their patronage even to the Jews, but in such wise that they [the Jews] may prove useful both to themselves and to the people in whose midst they are settled."

CHAPTER X

THE "ENLIGHTENED ABSOLUTISM" OF ALEXANDER I.

1. "The Committee for the Amelioration of the Jews."

The liberal breeze which began to stir in the first years of Alexander I.'s reign sent a refreshing current of air through the stuffy atmosphere of the St. Petersburg chancelleries, in which Russian bureaucrats, undisturbed by their utter ignorance of Judaism, were devising ways and means of turning Jewish life upside down. It took some time, however, before the Jewish question was taken up again. In 1801 and 1802 the Government was busy rearranging the whole machinery of the administration. With the formation of the Ministries and of the Council of State the Senate lost its former executive power, and, as a result, the material relating to the Jewish question which had been in its possession had to be transferred to a new official agency.

Such an agency was called into being in November, 1802. By order of the Tzar a special "Committee for the Amelioration of the Jews" was organized, and the following were appointed its members: Kochubay, Minister of the Interior, Dyerzhavin, the "specialist" on Judaism, at that time Minister of Justice, Count Zubov, and two high officials of Polish birth, Adam Chartoriski, Assistant-Minister for Foreign Affairs, an intimate friend of Alexander I., and Severin Pototzki, a member of the Senate. The Committee was charged with the investigation of all the problems touched upon in Dyerzhavin's "Opinion," concerning the curbing of

the avaricious pursuits of the Jews in White Russia, with a view to "extending the amelioration of the Jews also to the other Governments acquired from Poland."

Rumors to the effect that a special Committee on Jewish affairs had been instituted at St. Petersburg, and that its work was to follow the lines laid down in the project of Dyerzhavin, caused considerable alarm among the Jews of the Northwest, who knew but too well the anti-Semitic leanings of the former Senator and inspector. The Kahal of Minsk held a special meeting in December, 1802, which passed the following resolution:

> Whereas disquieting rumors have reached us from the capital, to the effect that matters involving the Jews as a whole have now been intrusted to the hands of five dignitaries, with power to dispose of them as they see fit, be it resolved that it is necessary to proceed to St. Petersburg and petition our sovereign not to allow them [the dignitaries] to introduce any innovations among us.

A public appeal was made for funds to provide the expenses of the delegates. Moreover, a fast of three days was imposed on all the members of the community, during which prayers were to be offered up in the synagogues for averting the calamity which the Government threatened to bring upon the Jews.

When the Minister of the Interior, Kochubay, learned of the excitement prevailing among the Jews, he sent, in January, 1803, a circular to the governors, instructing them to allay the fears of the Jews. The Kahals were to be informed that "in appointing the Committee for the investigation of Jewish matters," there was "no intention whatsoever to impair their status or to curtail any substantial advantage enjoyed by them," but on the contrary it was proposed to "offer them better conditions and greater security."

This verbal assurance was not nearly so effective in quieting the minds of the Jews as action taken by the Government at the same time. In the beginning of 1803, the "Jewish Committee" resolved to invite deputies from all the gubernatorial Kahals to St. Petersburg for the purpose of ascertaining their views as to the needs of the Jewish people, which the Government had planned to "transform" without its own knowledge. This was the first departure from the red-tape routine of St. Petersburg. Towards the end of January, 1803, active preparations were set afoot by the Kahals for sending such deputies. During the winter and spring the Russian capital witnessed the arrival of Jewish deputies from the Governments of Minsk, Podolia, Moghilev, and Kiev, no information being available about the other Governments. The deputies soon had occasion to rejoice in Dyerzhavin's retirement from membership in the Jewish Committee, following upon his resignation from the post of Minister of Justice. Being a conservative of the "real Russian" type, Dyerzhavin was out of place in a liberal Government such as ruled the destinies of Russia in the early years of Alexander's reign. With his retirement his "Opinion" ceased to serve as an obligatory rule of conduct for the members of the Committee.

On arriving in St. Petersburg, the deputies from the provinces found there a small group of Jews, mostly natives of White Russia, who lived temporarily in the capital, in connection with their business affairs. Though denied the right of permanent domicile in the capital of the Empire, this handful of barely tolerated Jews had managed to secure the right of dying there and of burying their dead in their own cemetery. The opening of the cemetery in 1802 marks symbolically

the inception of the Jewish community in St. Petersburg. In the same sign of death the provincial deputies met their metropolitan brethren at a rather strange "celebration" in the summer of 1803: at the suggestion of the deputies and in their presence the remains of three Jews who had been buried in a Christian cemetery were transferred to the newly-acquired Jewish cemetery.

Among the Jews of St. Petersburg there were several men at that time who, owing to their connections with high officials and because of their familiarity with bureaucratic ways, were able to be of substantial service to the deputies from the provinces. One of these Jews, Nota Shklover, who about that time received the family name Notkin, the same public-spirited merchant who in 1800 had submitted his reform project to Dyerzhavin,[1] acted, it would seem, as the official adviser of the deputies, having been invited some time previously to participate in the labors of the Jewish Committee. While on the Committee, he continually insisted on his scheme of promoting agriculture and manufactures among the Jews, but he did not live to see the triumph of his ideas. He died shortly before the enactment of the law of 1804, in which his pet theory found due recognition. Another St. Petersburg Jew, the wealthy contractor and commercial councilor Abraham Peretz, took no immediate part in Jewish affairs. Yet he too was of some service to the deputies, owing to his business relations with the official world.

In the meantime the Committee for the Amelioration of the Jews, after scrutinizing the different projects submitted to it, had worked out a general plan of reform, and communicated it to the Jewish deputies. After "prolonged

[1] See p. 330.

indecision" the Jewish deputies announced that they were not in a position to submit their conclusions, without previous consultation with the Kahals by which they had been elected. They accordingly asked for a half-year's respite "for the purpose of consultation." The official Jewish Committee, on the other hand, could not agree to so protracted a delay in its labors, and resolved to submit, through the medium of the Government, the principal clauses of the project to the Kahals, with the understanding that the latter, "without making any changes in the aforesaid clauses," should confine themselves to suggestions as to the best ways and means of carrying the proposed reforms into effect.

The epistolary inquiry failed to produce the "desired effect." Restricted beforehand in their free expression of opinion, and having no right to speak their mind as to the substance of the project, the Kahals in replying limited themselves to the request that the "correctional measures" be postponed for twenty years, particularly as far as the proposed prohibition of the sale of liquor and land-tenure was concerned, which prohibition would undermine the whole economic structure of Jewish life. The Committee paid no heed to the plea of the Kahals, which was tantamount to a condemnation of the basic principles of the project, and proceeded to work in the direction originally decided upon.

Nor was there perfect unanimity within the Committee itself. Two tendencies, it seems, were struggling for mastery: utilitarianism, represented by the champions of "correctional measures" and of a compulsory "transformation of Jewish life," and humanitarianism, advocated by the spokesmen of unconditional emancipation. To the latter class belonged Speranski, the brilliant and enlightened statesman who might

have succeeded in liberating the Empire of the Tzars a hundred years ago, had he not fallen a victim to the fatal conditions of Russian life. At the time we are speaking of he served in the Ministry of the Interior under Kochubay, and was engaged in elaborating plans of reform for the various departments of the civil service.

Speranski took an active interest in the Committee for the Amelioration of the Jews, and frequently acted as Kochubay's substitute. There was a time when his influence in the Committee was predominant. It was evidently under his influence that the remarkable sentences embodied in the minutes of the Committee meeting of September 20, 1803, were penned:

> Reforms brought about by the power of the state are, as a rule, unstable, and are particularly untenable in those cases in which that power has to grapple with the habits of centuries. Hence it seems both better and safer to guide the Jews to perfection by throwing open to them the avenues leading to their own happiness, by observing their movements from a distance, and by removing everything that might turn them away from this path, without using any manner of force, without establishing special agencies for them, without endeavoring to act in their stead, but by merely opening the way for their own activities. As few restrictions as possible, as many liberties as possible—these are the simple elements of every social order.

Since the Government had begun to dabble in the Jewish question, this was the first rational utterance coming from the ranks of the Russian bureaucracy. It implied an emphatic condemnation of the system of state patronage and "correctional measures" by means of which Russian officialdom then and thereafter sought to "transform" a whole nation. Here for the first time was voiced the lofty precept of humanitarianism: grant the Jews untrammeled possibilities of development,

give full scope to their energies, and the Jews themselves will in the end choose the way which leads to "perfection" and progress . . . . But even the liberalizing statesmen of that period could not maintain themselves on that high eminence of political thought. Speranski's conception was too tender a blossom for the rough climate of Russia, even in its springtide. The blossom was bound to wither. As far as the Committee for the Amelioration of the Jews was concerned, the hackneyed political wisdom of the age, the system of patronage and compulsory reforms, came to the fore again. The report submitted by the Jewish Committee to Alexander I. in October, 1804, reveals no trace of that radical liberalism which a year before had come to light in the minutes of the Committee.

The report begins by determining the approximate size of the Jewish population, computing the number of registered, taxable males at 174,385—"a figure which represents less than a fifth of the whole Jewish population." In other words, the total number of Jews, in the estimate of the Committee, approached one million. The report proceeds to point out that this entire mass is huddled together in the annexed Polish and Lithuanian provinces and in Little Russia and Courland, and is barred from the Governments of the interior—a statement followed by an historical excursus tending to show that "the Jews have never been allowed to settle in Russia." The Tzar is further informed that the Jews are obliged to pay double taxes, that, notwithstanding the fact that they are liable to the general courts and municipalities, and that their Kahals are subordinate to the gubernatorial police, the Jews still keep aloof from the institutions of the land and manage their affairs through the Kahals. Finally it is pointed out that the sale of liquor, the most widespread occupation among Jews,

is a source of abuses, calling forth complaints from the surrounding population. Basing its deductions on these premises, the Committee drafted a law which in its principal features was embodied in the "Statute Concerning the Organization of the Jews," issued, with the sanction of the Tzar, soon afterwards, on December 9, 1804.

2. The "Jewish Constitution" of 1804

The new charter, a mixture of liberties and disabilities, was prompted, as is stated in the preamble, "by solicitude for the true welfare of the Jews," as well as for "the advantage of the native population of those Governments in which these people are allowed to live." The concluding part of the sentence anticipates the way in which the question of the Jewish area of settlement is solved. It remained limited as theretofore to thirteen Governments: two in Lithuania, two in White Russia, two in Little Russia, those of Minsk, Volhynia, Kiev, and Podolia, and finally three in New Russia. A slightly larger area is conceded by the new statute to the *future* class of Jewish agriculturists projected in the same statute. They are permitted to settle in addition in two interior Governments, those of Astrakhan and Caucasia.

Economically the new statute establishes two opposite poles: a negative pole as far as the rural occupations of innkeeping and land-tenure are concerned, which are to be exterminated ruthlessly, and a positive pole, as far as agriculture is involved, which on the contrary is to be stimulated and promoted among Jews in every possible manner. Clause 34, the severest provision of the whole act, is directed not only against innkeeping but against rural occupations in general. It reads as follows:

Beginning with January 1, 1807, in the Governments of Astrakhan and Caucasia, also in those of Little Russia and New Russia, and, beginning with January 1, 1808, in the other Governments, *no one among the Jews in any village or hamlet shall be permitted to hold any leases on land, to keep taverns, saloons, or inns*, whether under his own name or under a strange name, or to sell wine in them, or *even to live in them* under any pretext whatever, except when passing through.

With one stroke this clause eliminated from the economic life of the Jews an occupation which, though far from being distinguished, had yet afforded a livelihood to almost one-half of the whole Jewish population of Russia. Moreover, the none too extensive territory of the Jewish Pale of Settlement was still more limited by excluding from it the enormous area of villages and hamlets.

The economic and legal blow aimed at the Jews in the Statute of 1804 was to be made good by the privileges held forth to those willing to engage in agriculture. Such Jews were accorded the right of buying unoccupied lands in all the western and in two of the eastern Governments, or of establishing themselves on crown lands. In the latter case the settlers were to be assigned definite parcels of land and, for the first few years, be exempt from state taxes. However, it soon became evident that the proposed remedy was out of proportion to the seriousness of the wound that had been inflicted. While hundreds of thousands of Jews were driven from the rural occupations with which their economic life had been bound up for centuries, the new branch of labor opened to the Jews, the pursuit of agriculture, could, for some time to come, attract at the utmost only a few insignificant groups of the Jewish population.

Among the favored occupations, ranging in importance beneath agriculture, the new law includes industry and handicrafts. Manufacturers and artisans are declared exempt from the double tax imposed on Jews,[1] and the founders of "the most needed factories" are promised, in addition, a Government loan. The Jewish merchants and burghers are placed in the last rank, being merely "tolerated." Manufacturers, artisans, and merchants are given permission to sojourn temporarily for business purposes in "the interior Governments, not excluding the capitals, but not otherwise than with gubernatorial passports," such as are given for going abroad.

In the chapter entitled "On the Civil Organization of the Jews," the new charter establishes, on the one hand, the liability of the Jews to the authority of the municipalities, the common police, and the common law courts, and grants the Jews, on the other hand, the right of electing rabbis and "Kahalmen," who shall be replaced every three years, and shall be ratified by the gubernatorial administration. Special clauses provide that the rabbis are obliged "to look after all the ceremonies of the Jewish faith and decide all disputes bearing on religion," but they are strictly forbidden to resort to "anathemas" and excommunications (the so-called herem). The Kahals in turn are held responsible for the regular payment of the state taxes. The communal autonomy of the Jews was thus calculated to serve two masters, religion and the exchequer, God and mammon, and was expected to adjust its manifold problems to both.

The "Jewish Constitution" of 1804 is provided as it were with a European label. Its first chapter bears the heading "On Enlightenment." Jewish children are granted free access

[1] See p. 318.

to all public schools, gymnasiums, and universities in the Russian Empire. The Jews are also granted the right of opening their own schools for secular culture, one of three languages, Russian, Polish, or German, to be obligatory. One of these languages is also, within a period of two to six years from the promulgation of the law, to become obligatory for all public documents, promissory notes, commercial ledgers, etc. The Jews elected members of municipalities or chosen as rabbis and Kahal members are obliged, within a definite term (1808-1812), to know one of these three languages to the extent of being able to write and speak it. Moreover, the Jewish members of the municipalities are expected to wear clothes of the Polish, Russian, or German pattern.

This "enlightened" program represents the tribute which the Russian Government felt obliged to render to the spirit of the age, the spirit of enlightened Prussian absolutism rather than that of French emancipation. It was the typical sample of a Prusso-Austrian *Reglement,* embodying the very system of "reforms brought about by the power of the state" against which Speranski had vainly cautioned. In concrete reality this system resulted in nothing else than the violent break-up of a structure built by centuries, relentless coercion on the one hand and suffering of the patronized masses on the other.

3. The Projected Expulsion from the Villages

The legal enactment of 1804 was appraised by the Russian Jews at its true value: problematic benefits in the future and undeniable hardships for the present. The prospect of future benefits, the attainment of which was conditioned by the weakening of the time-honored foundations of a stalwart Jew-

ish cultural life, expressing itself in language, school, and communal self-government, had no fascination for Russian Jews, who had not yet been touched by the influences of Western Europe. But what the Russian Jews did feel, and feel with sickening pain, was the imminence of a terrible economic catastrophe, the expulsion of hundreds of thousands of Jews from the villages. It soon became evident that the expulsion would affect 60,000 Jewish families, or about half a million Jews. Needless to say, within the two or three years of respite which remained before the catastrophe, this huge mass could not possibly gain access to new fields of labor and establish itself in new domiciles, and it was therefore in danger of being starved to death. In consequence, St. Petersburg was flooded with petitions imploring the authorities to postpone the expulsion for a time. These petitions came not only from the Kahals but also from country squires, for whom the removal of the Jewish tenants and innkepers from their estates entailed considerable financial losses. With the approach of the year 1808, the time limit set for the expulsion, the shouts of despair from the provinces became louder and louder. It is difficult to say whether the Russian Government would have responded to the terrible outcry, had it not been for an event which set all the political circles of St. Petersburg agog.

It was in the autumn of 1806. The "Jewish Parliament" in Paris, which had been assembled by Napoleon, was concluding its sessions, and was sending out appeals to all the countries of Europe announcing the impending convocation of the "Great Synhedrion." This new fad of Napoleon disturbed all the European Governments which were on terms of enmity with the French Emperor, and had reason to fear the discontent of their Jewish subjects. The Austrian Govern-

ment went so far as to forbid the Jews to enter into any relations with "dangerous" Paris. St. Petersburg too became alarmed. Napoleon, who had just shattered Prussia, and had already entered her Polish provinces, was gradually approaching the borders of hostile Russia. The awe inspired by the statesmanlike genius of the French Emperor made the Russian Government suspect that the convocation of a universal Jewish Synhedrion in Paris was merely a Napoleonic device to dispose the Jewish masses of Prussia, Austria, and Russia in his favor. In these circumstances it seemed likely that the resentment aroused in the Russian Jews by their imminent expulsion from the villages would provide a favorable soil for the wily agitation of Napoleon, and would create a hotbed of anti-Russian sentiment in the very regions soon to become the theater of war. To avoid such risks it seemed imperative to extinguish the flame of discontent and stop the expulsion.

Thus it came about that in the beginning of February, 1807, at the very moment when the sessions of the Synhedrion were opened in Paris, the Minister of the Interior, Kochubay, submitted a report to Alexander I., in which he pointed out the necessity "of postponing the transplantation of the Jews from the villages into the towns and townlets, so as to guard this nation in general against the intentions of the French Government." The Tzar concurred in this opinion, with the result that a special committee was immediately formed to consider the practical application of the Statute of 1804. Apart from Kochubay and other high officials, the committee included the Minister of Foreign Affairs, Budberg, diplomatic considerations being involved in the question. On February 15, Senator Alexeyev was directed to inspect the western provinces and find out to what extent "the military circumstances and the

present condition of the border provinces as well as the economic ruin of the Jews, which is inevitable if their expulsion be enforced," render this expulsion difficult or even impossible of execution.

At the same time the Minister of the Interior instructed the administrators of the western Governments to prevent the slightest contact between the Jews of Russia and the Synhedrion in Paris, which the French Government was using as a tool to curry political favor with the Jews. The same circular letter to the Governors recommends another rather curious device. It suggests that the Jews be impressed with the idea that the Synhedrion in Paris was endeavoring to modify the Jewish religion, and for this reason did not deserve the sympathy of the Russian Jews.

At the same time the Holy Synod was sending out circulars instructing the Greek Orthodox clergy to inform the Russian people that Napoleon was an enemy of the Church and a friend of the Jews.

> That he might the more effectively put the Church of Christ to shame—so the Holy Synod proclaimed—Napoleon assembled the Judean Synagogues in France. . . . . and established the Great Synhedrion of the Jews, that same ungodly assembly which had once dared pass the sentence of crucifixion upon our Lord and Savior Jesus Christ, and he now planneth to unite the Jews, whom the wrath of the Almighty hath scattered over the face of the whole earth, so as to incite them to overthrow the Christian Church and proclaim the pseudo-Messiah in the person of Napoleon.

By these devices the Government, finding itself at its wits' end in the face of a great war, shrewdly attempted to frighten at once the Jewish people by the specter of an anti-Jewish Napoleon and the Orthodox Russians by Napoleon's leaning towards Judaism. The former were made to believe that the

Synhedrion was directed against the Jewish religion, and the latter were told that it was established by the Jewish "pseudo-Messiah" for the overthrow of Christianity.

In this precarious situation the Government once more decided to ascertain, by means of a circular inquiry, the views of the representatives of the Jewish communities on the best ways of carrying the "reform" into effect. The ukase of February 19, issued by the Tzar on this occasion, is couched in surprisingly mild terms:

> Prompted by the desire to give our subjects of the Jewish nationality another proof of our solicitude about their welfare, we have deemed it right to allow all the Jewish communes in the Governments . . . . of Vilna, Grodno, Kiev, Minsk, Podolia, Volhynia, Vitebsk, and Moghilev, to elect deputies and to suggest, through them, to the gubernatorial administrators the means which they themselves consider best fitted for the most successful execution of the measures laid down in the Statute of 1804.

The deputies were summoned this time, not to St. Petersburg, but to the provincial capitals in order to present their opinions to the governors.

The expression of opinion on the part of the Jewish deputies, or, as they were officially styled, "the attorneys of the Jewish communes," did not limit itself to the fatal thirty-fourth clause, which all the deputies wished to see repealed or at least postponed for an indefinite period. Serious objections were raised also to the other provisions of the "Jewish Constitution." The deputies advocated the abolition of double taxation for all classes of the Jewish population; they asked for a larger range of authority for the rabbinical tribunals and for a mitigation of the provisions forbidding the use of Hebrew in legal documents, promissory notes, and commercial ledgers. Some of them pleaded for a postponement of the law con-

cerning Hebrew as being inconvenient to business, while others suggested permitting the use of Hebrew for promissory notes up to the sum of one hundred rubels.[1]

The deputies also called attention to the difficulty, on the part of the rabbis and Jewish members of the magistracies, of acquiring the Russian language within so short a period. They were ready to assent to the change of dress for the magistrates and those living temporarily outside the Pale. But they pointed out at the same time that the prescribed German dress was not becoming to Jews, who on account of religious scruples refused to shave their beards, and that in the case of magistrates and visitors to the Russian interior they would prefer to adopt the Russian form of dress. As for the laws relating to education, the deputies observed that it would be useless for Jewish children to go to the common Russian schools as long as they did not understand the Russian language, and that it would for this reason seem more practicable first to have them acquire the Russian language in the Jewish schools, where they are taught the Hebrew language and the "dogmas of the faith."

By the time the opinions of the deputies were conveyed by the governors to St. Petersburg, the political sentiment there had undergone a change. In July, 1807, the Peace of Tilsit had been concluded. An *entente cordiale* had been established between Napoleon and Alexander I., and Russia no more stood in awe of Bonaparte's "intrigues." There was no more reason to fear a secret understanding between

[1] The insistence on Hebrew in the latter case is connected with the rabbinical form of promissory note, the so-called *Shtar Iska* [a form of partnership agreement which was designed to obviate the difficulties arising out of the Biblical prohibition to lend money on interest. A similar legal fiction was introduced by the medieval Church].

the Russian Jews and the Parisian Synhedrion, which had shortly before been prorogued, and the bureaucratic compassion for the unfortunate Jews vanished into air. The last term set for the expulsion from the villages, January 1, 1808, was drawing near, and two months before this date, on October 19, 1807, the Tzar addressed an ukase, marked by extraordinary severity, to the Governor-General of the Western region:

The circumstances connected with the war—the ukase states in part—were of a nature to complicate and suspend the transplantation of the Jews. . . . . These complications can now, after the cessation of the war, be averted in the future by means of a gradual and most convenient arrangement of the work of transplantation. . . . . For these reasons we deem it right to lay down an arrangement by means of which the transplantation of the Jews, beginning with the date referred to above, may be carried into effect, without the slightest delay and mitigation.

The "arrangement" alluded to consisted in spreading the expulsion from the villages over three years: one-third of the Jews were to be expelled in 1808, another third in 1809, and the last third in 1810. Committees were appointed to assist the governors in carrying out the expulsion decree. These committees were instructed to make it incumbent upon the Kahals to render financial assistance to the expelled, to those who were being pitilessly ruined by the Government.

The horrors of the expulsion began.

Those who did not go willingly were made to leave by force. Many were ejected ruthlessly, under the escort of peasants and soldiers. They were driven like cattle into the townlets and cities, and left there on the public squares in the open air. The way in which the expulsion from the villages was carried out in the Government of Vitebsk was particularly ferocious.[1]

[1] See Nikitin, "The Jewish Agriculturists" (in Russian), St. Petersburg, 1887, p. 16.

Scores of exiled Jews petitioned the authorities to have them transferred to New Russia, to the agricultural colonies, in which several hundred Jewish families had found some kind of shelter. But the supply of arable land and the funds set aside for the transfer were found to be exhausted; the appeals therefore remained unheeded. The distress of the Jewish masses reached such colossal proportions that the governors themselves, in their reports to the central Government, declared that it was impossible to carry out the expulsion decree without subjecting the Jews to complete ruin. Accordingly a new ukase was issued in the last days of December, 1808, to the effect that the Jews be left in their former domiciles, pending special Imperial orders.

In the beginning of January, 1809, a new Committee (chronologically the third) was appointed in St. Petersburg for the purpose of examining all the phases of the problem of diverting the Jews from the rural liquor traffic to other branches of labor. This time the committee consisted of Senator Alexeyev,[1] who had made a tour of inspection through the western provinces, Privy-Councilor Popov, Assistant Minister of the Interior Kozodavlev, and others. In his instructions to Popov, who was chairman of the Committee, the Tzar admits that the impossibility of removing the Jews from the villages results from the fact that "the Jews themselves, on account of their destitute condition, have no means which would enable them, after leaving their present abodes, to settle and found a home in their new surroundings, while the Government is equally unable to undertake to place them all in new domiciles." It has therefore been found necessary "to seek ways and means whereby the Jews, having been

[1 See p. 347.]

removed from their exclusive pursuit of selling wine in the villages, hamlets, inns, and public houses, may be enabled to earn a livelihood by labor." At the same time the Committee was directed to take into consideration the "opinions" submitted previously by the Jewish deputies. After indulging in cruel vivisectionist experiments on human beings, the Government finally realized that mere paper orders were powerless to remodel an economic order, which centuries of development had created, and that violent expulsions and restrictions might result in ruining people, but not in effecting their "amelioration."

The Committee was at work for three years. The results of its labors were embodied in a remarkable report submitted in March, 1812, to Alexander I. Since Speranski's declaration of 1803, reproduced above,[1] this official document was the first to utter a word of truth on the Jewish problem.

It is proposed—the report declares—to remove the Jews from the rural liquor traffic, because the latter is considered harmful to the population. But it is obvious that the root of the drinking evil is not to be found with the saloon-keepers, but in the right of distilling, or "propination," which constitutes the prerogative of the squires and their main source of income. Let us suppose the sixty thousand Jewish saloon-keepers to be turned out from the villages. The result will be that sixty thousand Russian peasants will take their place, tens of thousands of efficient farm-hands will be lost to the soil, while the Jews cannot be expected to be transformed into capable agriculturists at a moment's notice, the less so as the Government has no resources to effect this sudden transformation of saloon-keepers into corn-growers. It is not true that the village Jew enriches himself at the expense of the peasant. On the contrary, he is generally poor, and ekes out a scanty existence from the sale of liquor and by supplying the peasants with the

[1] See p. 340.

goods they need. Moreover, by buying the corn on the spot, the Jew saves the peasant from wasting his time in traveling to the city. Altogether in rural economic life the Jew plays the rôle of a go-between, who can be spared neither by the squire nor by the peasant. To transfer all village Jews to the cities and convert them into manufacturers, merchants, and artisans, is a matter of impossibility, for even the Jewish population already settled in the cities is scarcely able to make a living, and to create factories and mills artificially would be throwing money into the water, especially as the exchequer has no free millions at its disposal to enable it to grant subsidies to manufacturers. The recent experiments of the Government have had no effect. On the contrary, the Jewish people "has not only remained in the same state of poverty, but has even been reduced to greater destitution, as a result of having been forced out of a pursuit which had provided it with a livelihood for several centuries." Hence, "the Committee, realizing this situation of a whole people, and being afraid that the continuation of compulsory measures, *in the present political circumstances*, may only exasperate this people, already restricted to the utmost, deems it necessary . . . . to put a resolute stop to the now prevailing methods of interference by allowing the Jews to remain in their former abodes and by setting free the pursuits suspended by Clause 34."

The Government submitted. In yielding it was moved not so much by the clear and incontrovertible arguments of the Committee, which amounted to a deadly criticism of the current system of state patronage, as by the "political circumstances" alluded to in the concluding sentences of the report. Napoleon's army was marching towards the Russian frontier. The war which was to embroil the whole of Russia and subsequently the whole of Europe had broken out. At such a moment, when the French army was flooding the whole of Western Russia, it seemed far more dangerous to create groups of persecuted and embittered outcasts than it had been

in 1807, when the French invasion was merely a matter of apprehension. In these circumstances the question whether the Jews should be left in the villages and hamlets found a favorable solution of itself, without any special ukase. Stirred to the core, Russia, in the moment of national danger, had to rely for her salvation upon the strenuous exertions of all her inhabitants, Jews included.

4. The Patriotic Attitude of Russian Jewry during the War of 1812

The part played by the Jews in the War of 1812 was not so insignificant as historians are generally disposed to assume, being misled by the fact that the Jews of Russia were not yet drafted into the army. It must be borne in mind that the great war was enacted in western Russia, more particularly in northwestern Russia, on territory inhabited by a compact Jewish population scattered all over the cities, townlets, and villages. The sympathy of this population with one or the other of the belligerents frequently decided the success or failure of the detachment situated in that locality. It is a well-known fact that the Poles of the western region were mostly on the side of Napoleon, from whom they expected the restoration of the Polish kingdom.

As for the Russian Jews, their attitude towards the belligerent parties was of a more complicated character. The recent persecutions of the rural Jews were apt, on the one hand, to set their hearts against the Russian Government, and, had these persecutions continued, the French would have been hailed by the oppressed Jews as their saviors. But the expulsions from the villages had been stopped three years before the war, and the Jews anticipated the complete repeal of

the cruel law, which had been so severely condemned in the official report of the Committee laid before the Tzar in the beginning of 1812. Moreover, the deputies of the Kahals, who had been summoned twice to share in the work of the Government (in 1803 and 1807), had an opportunity to convince themselves that Alexander I.'s Government was on the whole favorably disposed towards the Jews, and its mistakes were merely the outcome of the wrong system of state patronage, of the desire of the Government to make the Jews happy, according to its own lights, by employing compulsory and "correctional" measures.

On the other hand, Napoleon's halo had been considerably dimmed even in the eyes of the Jews of Western Europe, now that the results of his "Jewish Parliaments" had come to light. The Jews of Russia, who were all Orthodox, regarded Napoleon's reform schemes as fraught with danger, and looked upon the substitution of Kahal autonomy by a consistorial organization as subversive of Judaism. The Hasidic party, again, which was the most conservative, felt indebted to Alexander I., who, in a clause of the Statute of 1804, bearing on Jewish sects, had bestowed upon the Hasidim the right of segregating themselves in separate synagogues within the communities. The leader of the White Russian Hasidim, Rabbi Shneor Zalman, who at first had suffered from the suspiciousness of the Russian Government, but was afterwards declared to be politically "dependable," voiced the sentiments of the influential Jewish circles towards the two belligerent sovereigns in the following prediction:

Should Bonaparte win, the wealth of the Jews will be increased, and their [civic] position will be raised. At the same time their hearts will be estranged from our Heavenly Father. Should how-

ever our Tzar Alexander win, the Jewish hearts will draw nearer to our Heavenly Father, though the poverty of Israel may become greater and his position lower.

This was tantamount to saying that civic rightlessness was preferable to civic equality, inasmuch as the former bade fair to guarantee the inviolability of the religious life, while the latter threatened to bring about its disintegration.

All these circumstances, coupled with the unconscious resentment of the masses against the invading enemy, brought about the result that the Jews of the Northwest everywhere gave tokens of their devotion to the interests of Russia, and frequently rendered substantial services to the Russian army in its commissary and reconnoitring branches. The well-known Russian partisan [1] Davidov relates that

the frame of mind of the Polish inhabitants of Grodno was very unfavorable to us. The Jews living in Poland were, on the other hand, all so devoted to us that they refused to serve the enemy as scouts, and often gave us most valuable information concerning him.

As Polish officials could not be relied upon, it became necessary to intrust the whole police department of Grodno to the Jewish Kahal. The Governor of Vilna testified that "the Jewish people had shown particular devotion to the Russian Government during the presence of the enemy."

The Poles were irritated by this pro-Russian attitude of the Jews. There were rumors afloat that the Poles had made ready to massacre all Jews and Russians in the Governments of Vilna and Minsk and in the province of Bialystok. There were numerous instances of self-sacrifice. It happened more

[1 The word is used here in the sense of leader of partisan, *i. e.* irregular, troops. Davidov attained to great fame during the War of 1812, in which he interfered effectively with the communications of the French.]

than once that Jews who had sheltered Russian couriers with dispatches in their houses, or had escorted them to the Russian headquarters, or who had furnished information to the Russian commanders as to the position of the enemy's army, were caught by the French, and shot or hanged. Alexander I. was aware of these deeds. While on a visit to Kalish, he granted an audience to the members of the Kahal, and engaged in a lengthy conversation with them. Among the Jews of the district appeals written in the Jewish vernacular were circulated, in which the Jews were called upon to offer up prayers for the success of Alexander I., who would release the Jewish people from bondage. Altogether the wave of patriotism which swept over Russia engulfed the Jewish masses to a considerable extent.

The headquarters of the Russian army, which was now marching towards the West, harbored, during the years 1812-1813, two Jewish deputies, Sundel Sonnenberg of Grodno and Leyser (Eliezer) Dillon of Neswizh. On the one hand they maintained connections with the leading Government officials, and conveyed to them the wishes of the Jewish communities. On the other hand they kept up relations with the Kahals, which they informed regularly of the intentions of the Government. Presumably these two public-spirited men played a twofold rôle at headquarters: that of large purveyors, who received orders directly from the Russian commissariat, and forwarded them to their local agents, and that of representatives of the Kahals, whose needs they communicated to the Tzar and the highest dignitaries of the crown. In those uneasy times the Government found it to its advantage to keep at its headquarters representatives of the Jewish population, who might sway the minds of their coreligionists, in accordance

with the character of the political instructions issued by it. In June, 1814, during his stay abroad in Bruchsal (Germany), Alexander requested these deputies to assure "the Jewish Kahals of his most gracious favor," and promised to issue shortly "an ordinance concerning their wishes and requests for the immediate amelioration of their present condition." It seems that Alexander I., who was still under the spell of the accounts of Jewish patriotism, was inclined at that moment to improve their lot. But the general reaction which, after the Vienna Congress of 1815, fell like a blight upon Europe and Russia proved fatal also to the Russian Jews.

5. Economic and Agricultural Experiments

The political upheavals of the transition period (1789-1815) were bound to react violently on the economic status of Russo-Polish Jewry. The vast Jewish population of Western Russia was at that time divided into two parts: the larger part resided in the towns and townlets, the smaller lived in the villages. The efforts made by the Russian Government during that period, to squeeze the whole Jewish population into the urban estates and to single out from its midst a new class of agriculturists, failed to produce the desired effect. Instead it succeeded in disturbing the former equilibrium between the urban and the rural occupations of the Jews.

The urban Jew was either a business man or an artisan or a saloon-keeper. In many cities the Jewish mercantile element was numerically superior to the Christian. The increased Jewish activity in the export trade is particularly noticeable. Jewish merchants traveled annually in large numbers to the fairs abroad, particularly to that of Leipsic, to buy merchandise, principally dry goods, at the same time exporting the

products of Poland and Russia, such as furs, skins, etc. The gradual absorption of Polish territory by Russia opened up a new, immense market, that of the central Russian provinces, for the goods imported from abroad. It was natural that the Jews began to flock to those provinces. But their way was at once blocked by the local Russian merchants, who began to clamor against Jewish competition, and forced the Government to recognize the monopoly of native "interests," to the detriment of the consumer.[1]

True, the monopolists did not succeed altogether in shutting the Russian interior to foreign cheap goods and finery, which the Jewish merchants still continued to import, under the clause in the Statute of 1804 which granted Jews the right of visiting the interior Governments on special gubernatorial passports. Yet an untrammeled development of Jewish commerce was rendered impossible by this artificial barrier between Western and Eastern Russia.

The second urban profession, handicrafts, was considered of lower rank than commerce. It was pursued by the poorest class of the population. Artisan labor commanded very low prices. Purely Jewish trade-unions were rare, and when a Jewish artisan summoned enough courage to leave his native townlet and seek employment in a large city, he was sure to encounter the animosity of the organized Christian guilds. We have seen that before the second partition of Poland such an "encounter" assumed the shape of a pogrom in the Polish capital.[2]

By the side of the store and the workshop stood the public house or saloon, which was generally connected with an inn

[1] Compare the prohibition barring Jews from registering in the mercantile guilds of Moscow and Smolensk, p. 315.
[2] See p. 286 and p. 287.

or a hostelry. The sale of liquor in the cities depended primarily on the peasants arriving from the villages on festival and market days. On the whole the liquor traffic occupied a subordinate place in the cities. Its mainstay was in the villages.

All serious observers of the economic status of the Jews at that time bear witness to the fact that in the majority of cities Jewish labor formed the corner-stone of a civilized economic life, that without the Jew it was impossible to buy, or to sell, or to have any kind of article made. The Jew, who was satisfied with small wages and profits, was thereby able to lower both the cost of production and the price of merchandise. He was content with a pittance, his physical needs being extraordinarily limited. Thanks to the mediation of the ubiquitous Jewish business man, the peasant was able to dispose of his products on the spot, even those which because of their small value would not be worth carrying to the city. In spite of all his indefatigable, feverish labors, the Jew was on the average as poor as the peasant, except that he was free from the vice of drunkenness, one of the sources of the peasant's economic misery. The poverty of the Jew was the artificial result of the fact that the cities and townlets were overcrowded with petty tradesmen and artisans, and this congestion was further aggravated by the systematic removal of the Jews from their age-long rural occupations and the consequent influx of village Jews into the towns.

It is necessary to point out that when the official records harp on the "liquor traffic" in the villages as the sole occupation of Jews, they fail to appreciate the many-sidedness of the rural pursuits of the Jews, which were connected with the liquor traffic, to be sure, but were by no means identical with it.

While leasing from the squire or the crown the right of distilling, the Jew farmed at the same time other items of rural economy, such as the dairies, the mills, and the fishing ponds. He was furthermore engaged in buying grain from the peasants and selling them at the same time such indispensable articles as salt, utensils, agricultural tools, etc., imported by him from the town. He often combined in his person the occupations of liquor-dealer, shopkeeper, and produce merchant. The road leading from the village to the city was dotted with Jewish inns or public houses, which, before the age of railroads, served as halting-places for travelers. This whole economic structure, which had been built up gradually in the course of centuries, the Russian Government made its business to demolish. As early as the reign of Catherine II. the governors frequently drove the Jewish villagers into the cities, acting under the "organic law" which makes it incumbent upon Jews to "register among the merchants or burghers." The ambiguous ukase of 1795, to the effect, that "endeavors be made to transplant the Jews into the District towns, so that these people may not wander about to the detriment of society," gave the zealous bureaucrats a free hand. When the Law of 1804 ordered the expulsion of all Jews from the villages at the end of three years, many squires, without waiting for the time limit to expire, refused their Jewish tenants the right of residence and trade in their villages. The Jews began to rush into the cities, where even the long-settled residents could not manage to make a living.

True, the Government was luring the persecuted Jews into two new vocations, the establishment of factories and of agricultural colonies. But the impecunious village Jew had neither the capital nor the capacity for opening factories. Moreover, it

was of no conceivable use to call industries artificially into being, without having first secured a market for the manufactured products. Several woolen mills had been founded by Jews in Lithuania and Volhynia, but all they could do was to provide work for a few thousand people. It was thus natural that all eyes turned towards agricultural colonization.

The Statute of 1804 promised to provide impecunious Jews desirous of engaging in agriculture with free land in several Governments, to grant them loans for their equipment, and exempt them from taxation for a number of years. The exiled village Jews clutched at this promise as an anchor of salvation. In 1806 several Jewish groups in the Government of Moghilev appealed to the governor to transfer them to New Russia, there to engage in corn-growing. The delegate of one of these groups, Nahum Finkelstein, even traveled to St. Petersburg to lay the matter before Minister Kochubay, and was dispatched by the latter to the Government of Kherson for the purpose of inspecting and selecting the land. The Minister, acting in agreement with the Governor of Kherson, Duke Richelieu, decided to set aside separate parcels of land in the steppes of that region and to settle Jews on them under the auspices of the New Russian "Immigration Bureau." Scarcely had the two Moghilev groups completed the arrangements for their emigration, when scores of similar applications began to come in from Jewish groups in other Governments of the Pale. By the end of 1806 the number of applicants mounted up to fifteen hundred families, numbering some seven thousand souls. The Russian authorities found themselves in an awkward position. They were caught unprepared for the transfer of so many persons at the expense of the state. In 1807 four colonies of Jewish agriculturists were

established in the Government of Kherson, the first among the Jewish colonies of South Russia. The number of settlers amounted to some three hundred families, consisting of two thousand souls.

The number of applicants desirous of settling on the land continued to increase. In the course of 1808, when the expulsion from the villages was in full swing, the White Russian governors bombarded the Minister of the Interior with petitions to allow as many Jewish families as possible to proceed to New Russia. The Governor of Vitebsk reported that the rural Jews

> have been unseasonably expelled, ruined, and reduced to beggary. A large part of them is without daily bread and without shelter, and they emigrate in considerable numbers to New Russia. Many Jews, in the expectation of being transplanted to New Russia, have sold all their belongings and beg leave persistently to go there, though it be only for a domicile.

At the same time reports from the New Russian Immigration Bureau and from Duke Richelieu were constantly reaching St. Petersburg. They emphasized the necessity of stemming the tide of emigrants, in view of the fact that even the first parties of colonists had found it difficult to establish themselves, while the new ones could not expect to find either huts or any other accommodations. By the beginning of 1808 the Immigration Bureau was in charge of about one thousand colonist families, and, in addition, several thousand immigrants who had arrived "voluntarily" were waiting for their turn to be settled. As a result of the unaccustomed climatic conditions and the lack of housing accommodations and provisions, disease began to spread among the new-comers. All these circumstances decided the Government to put a tem-

porary stop to the settling of Jews in the New Russian colonies (ukase of April 6, 1810).

The attempt to convert a part of the Jewish population into agriculturists would undoubtedly have met with huge success, had the Government been sufficiently prepared for such a momentous economic transformation. Ten thousand emigrants had already gone to New Russia, and the compact starving masses were rushing after them. But the Government was overwhelmed by the difficulties of the task, and brought the whole movement to a standstill. Simultaneously a stop was put to the expulsion from the villages in the western Governments, which threatened to lead to an unparalleled economic catastrophe. Thus, after many vacillations and upheavals, the economic structure of Jewish life was re-established on its old foundations—commerce, handicrafts, and rural occupations.

CHAPTER XI

THE INNER LIFE OF RUSSIAN JEWRY DURING THE PERIOD OF "ENLIGHTENED ABSOLUTISM"

1. Kahal Autonomy and City Government

The system of state patronage spread its wings also over the self-government of the Jewish communities. Towards the end of Catherine II.'s reign the Government clearly betrayed its tendency to curtail the extensive communal autonomy which the Jews had been guaranteed earlier, in 1776, when the promise of the Empress, to allow the Jews of annexed White Russia "to retain their former liberties," was still fresh in the official mind. But the Russian Government, not in the habit of tolerating such "licentiousness" among its subjects, looked askance at the large economic, spiritual, and judicial functions granted to the Kahals, in addition to their fiscal duties as the collecting agencies of the state taxes. As a result of this attitude, the ukases of 1786 and 1795 had limited the range of activity of the Kahals to spiritual and fiscal affairs. The "Jewish Constitution" of 1804 went one step further by dividing these two functions between the rabbinate and the Kahals, which had previously formed one whole. The rabbis were given permission "to look after all the ceremonies of the Jewish faith and decide all disputes bearing on religion," while the Kahals were ordered "to see to the regular payment of the state taxes." This was all that was left of the ancient autonomy of the Jewish communities in Poland, with its vast network of institutions and central assemblies, or Waads.

It is apparent that in real life the power of the communities was larger than on paper. The Jews went on submitting most

of their cases, even those involving monetary disputes, to their own rabbinical tribunals. The prohibition of imposing the herem (excommunication) upon obstreperous members of the community was occasionally disregarded, since the "spiritual" tribunals had no other means of coercion at their disposal. On the other hand, the Government itself, being in need not only of the fiscal services of the Kahals, but also of a responsible organization to be consulted upon Jewish matters, could not help tolerating the extension of Kahal activities far beyond the range of fiscal interests. When the Government was desirous of ascertaining the views of the Jewish communities on some of the measures planned by it, it addressed itself, as was the case in 1802, 1803, and 1807,[1] to the Kahals, and authorized them to send delegates to St. Petersburg or the provincial capitals.

This extension of Jewish autonomy was a concession wrested from the Government by the force of circumstances, by the power of a compact population living a life of its own and refusing to efface itself to the point of merging with the surrounding population and fusing all its public interests with the affairs of the general city administration. Yet it was just this "municipalization" of the Jewish communities that the Russian Government had been aiming at for a long time. From the time of Catherine II. it cherished the thought of "destroying Jewish separateness," by forcing the Jews into the framework of the Russian class organization, particularly into the estates of the merchants and burghers.

When, shortly after 1780, the Jews were accorded the hitherto unheard-of privilege of participating in the city government with the right of active and passive suffrage for

[1] See pp. 337, 339, 349.

the magistracies and municipal courts, the lawgivers of St. Petersburg were confident that Russian Jewry, in a transport of delight, would throw overboard its old Kahal autonomy, and eagerly coalesce with the Christian urban estates, to form a common municipal organization. But neither the Jews nor the Christians justified these confident expectations. The former, while clinging as heretofore to their time-honored communal organization, were glad to participate in the elections to the magistracies, in which up till then their traditional enemies, the Christian merchants and burghers, had been the masters, and in which they frankly proposed to protect their interests, representing as they did a considerable portion of the urban population.

But here they encountered furious opposition on the part of their Christian fellow-residents. In the two White Russian Governments of Vitebsk and Moghilev several Jews had been elected to the magistracies as aldermen and members of the law courts. But in the majority of cases the Christians managed to obtain an artifical majority and keep the Jews out of the municipal administration. Complaints lodged with the central authorities in St. Petersburg were of no avail, for the Russian, and even more so the Polish, burghers regarded the bestowal of municipal rights upon the Jews as a violation of their own chartered privileges. Yielding to this mood of the Christian population, the administrators of the southwestern Governments established on their own responsibility a restrictive percentage for the participation of Jews in the magistracies, by limiting, even in places with a predominatingly Jewish population, the number of Jewish members to be elected to the magistracies to one-third. The representatives of the Jewish majority of the population in the city adminis-

tration were thus invariably reduced to a minority, and were not in a position to protect the interests of their coreligionists, either in the assessment of the municipal taxes or in the cases brought before the municipal law courts. Here, too, the protest addressed to St. Petersburg by a delegate acting on behalf of the Podolian Jews did not remedy the situation.

In the two Lithuanian Governments which had fallen into the hands of Russia after the third partition of Poland, in 1795, the Christian opposition scored even a greater success. For here it became necessary to suspend altogether the operation of the law granting the Jews representation in the magistracies. When the Senatorial ukase of 1802, making the Jews eligible for public office, became known in Vilna, the local Christian population raised a cry of indignation. The Philistine arrogance of the old "city fathers," combined with the low motives of religious and class hatred, manifested itself in a petition addressed in February, 1803, by the Christian burghers of Vilna to Alexander I.

In this petition the residents of Vilna protest against the violation of their ancient privilege, in pursuance of which "Jews and members of other faiths are forbidden to hold office" in Lithuania. The admission of Jews to the magistracies is a misfortune and a disgrace for the capital of Lithuania, for

> they [the Jews] have not the slightest conception of morality, while their form of education does not fit them for the calling of a judge, and altogether this people can only maintain itself by all kinds of trickery. . . . . The Christians will lose all interest in accepting public office once the Jews are given the right to dominate them.

The petitioners point out threateningly that the domination of the Jews, *i. e.* their participation in the magistracies,

though it be limited to one-third of the number of aldermen, will undermine the people's confidence in the municipal administration and judiciary. "For the obedience of the mob will be turned into defamation when the Christian who enters the sacred place [of justice] beholds a Jew as his superior and judge, submission to whom is unnatural, by reason of class and religion."

The Christian population of Kovno resorted, in presenting a similar petition, to another incontrovertible argument against the admission of Jews to municipal offices. Referring to the cross with the "sacred figure" of the crucifixion, which is placed on the court table for the administration of the oath, the petitioners assert that the Jewish members of the court "will refuse to look upon it, but, by reason of their faith, will think disrespectfully of it, so that, instead of judicial impartiality, there will be mockery of the Christian law." The Government found these arguments convincing, and in 1805 repealed the ukase of the Senate concerning the election of Jews to the magistracies of Lithuania.

In this way the stolid rancor of the "privileged" burghers in some places handicapped the activity of the Jews in the city administration, and in others entirely suppressed it. The Jewish communities, backward though they were, displayed sufficient civic courage to send their representatives to the camp of the enemy to work in common with him for the benefit of the whole urban population. But the narrow-minded burghers, who were thoroughly saturated with medieval prejudices, would not recognize the Jews as their fellow-townsmen. The Jews had to reckon with this coarse conservatism of the surrounding population. They were still able to fall back upon their own communal self-government, and, had their social

energies been directed towards that end, the old Kahal autonomy, in spite of all Government restrictions, might to a certain extent have come into its own again. But another factor thwarted this revival—the deep rift in the Russian Jewish community, which began with the rise of Hasidism in the second half of the eighteenth century, and was an accomplished fact at the beginning of the nineteenth century.

2. The Hasidic Schism and the Intervention of the Government

The period of Poland's partitions was also a period of divisions within Polish Jewry. The external division was accompanied by an internal split; the political partition, by a spiritual schism. The body of Polish Jewry was divided among Russia, Austria, and Prussia, and its soul between Rabbinism and Hasidism. There was even a significant coincidence in dates: the first declaration against Hasidism by the rabbinate of Vilna, which started the religious schism, was issued in 1772, in the year of the first Polish partition, and the second emphatic declaration of the same rabbinate, which completed the schism, followed close upon the third partition of Poland, in 1796.

The interval between these two dates represents one continuous stretch of Hasidic triumphs. The Russian Southwest, Volhynia, the province of Kiev, and Podolia, had by the end of the period, been almost completely conquered by the Hasidim. With the exception of a few cities, they now formed the predominating element in the communities; their ritual was adopted in synagogue worship, and their spiritual rulers, the Tzaddiks, exercised control over the official rabbinate. As far as the Northwest is concerned, Hasidism had managed during

that interval to obtain a foothold in White Russia, the only Polish province which for over twenty years had been under Russian dominion, and thus politically severed from the rest of curtailed Poland. Under the leadership of the Tzaddik Shneor Zalman of Lozno, a strong Hasidic center had been built up in that part of the Northwest, but there were yet no compact Hasidic communities in that region. In the majority of towns the communities were composed of both elements, Hasidim and their opponents, the Rabbinists, who were nicknamed *Mithnagdim* ("Protestants"), the preponderance being now on this side, now on the other, a state of affairs which gave rise to endless dissensions in the Kahals and synagogues.

In Lithuania alone, the stronghold of Rabbinism, Hasidism failed to take root. Here a few small Hasidic groups were ensconced in a number of cities. They held their services in modest rooms in private residences (*minyanim*), which they were often forced to hide from the gaze of the hostile Kahal authorities. In Vilna, the residence of the great zealot of Rabbinism, Elijah Gaon, the Hasidim constituted an "illegal" secret organization. Only in the suburb of Pinsk, in Karlin, the Hasidim succeeded in establishing themselves firmly, and could boast of having their own synagogues and Tzaddiks.[1] Karlin became the seat of a Hasidic propaganda extending all over Lithuania, where the Hasidim were accordingly nicknamed "Karliners."

The second and third partition of Poland, which united Lithuania and White Russia under the sovereignty of Russia, tended to buoy up the oppressed Lithuanian Hasidim, who

[1] One of these Tzaddiks, Rabbi Solomon (Shelomo) of Karlin, lost his life, according to Hasidic tradition, during the riots of the Russo-Polish confederate troops in the district of Minsk.

could now join forces against the common enemy with their brethren all over the northwestern region. The Hasidic propaganda took on new courage. To enhance the success of their missionary activity, the Hasidim spread a rumor, that the former anti-Hasidic thunderer, the veteran Rabbi Elijah Gaon, was sorry for all the hostile acts he had committed against the sectarians, and that in consequence the excommunication formerly hurled by him against them was no longer valid. When this clever ruse became known in Vilna, the indignant champions of Rabbinism prompted the aged Gaon to publish an epistle in which he reaffirmed his former attitude towards the "heretics," and declared that all the herems previously issued against them remained in force (May, 1796). The epistle was intrusted to two envoys, who were dispatched from Vilna to a number of cities, for the purpose of stirring up an anti-Hasidic agitation. When the envoys arrived in Minsk, and set about executing their instructions, the Hasidim started a rumor to the effect that the Gaon's signature under the epistle was not genuine. The Kahal of Minsk sent an inquiry to Vilna, and in reply received, in September, 1796, a new energetic appeal of the Gaon addressed to all the gubernatorial Kahals of Lithuania, White Russia, Volhynia, and Podolia.

Ye mountains of Israel—cried the great zealot—ye spiritual shepherds, and ye lay leaders of every Government, also ye, the heads of the Kahals of Moghilev, Polotzk, Zhitomir, Vinnitza, and Kamenetz-Podolsk, you hold in your hands a hammer wherewith you may shatter the plotters of evil, the enemies of light, the foes of the [Jewish] people. Woe unto this generation! They [the Hasidim] violate the Law, distort our teachings, and set up a new covenant; they lay snares in the house of the Lord, and give a perverted exposition of the tenets of our faith. It behooves us to avenge the Law of the Lord, it behooves us to punish

these madmen before the whole world, for their own improvement. Let none have pity on them and grant them shelter! .... Gird yourselves with zeal in the name of the Lord!

In calling to arms against the Hasidim in these fulminant terms, the venerable knight of Rabbinism was moved by the profound conviction that the "new sect," which by that time numbered its adherents by the hundreds of thousands, was leading the Jewish religion and nation to ruin, because it was rending asunder the Jewish camp internally while the political upheavals were severing it externally. He was moreover alarmed by the luxuriant growth of the cult of the Tzaddiks, or miracle-workers, which constituted a menace to the purity of the Jewish doctrine.

The Gaon's ire was particularly aroused by a work published in the same year as his epistle (1796), by Rabbi Shneor Zalman, the head of the White Russian Hasidim. The work was familiarly called *Tanyo*,[1] and contained a bold exposition of the pantheistic doctrine of Hasidism, which the champions of the established dogma were prone to regard as blasphemy and heresy.[2] The Gaon's proclamation hinted at this work, and its author felt painfully hurt by the attack. Shneor Zalman responded in a counter-epistle, in which he tried to prove that the patriarch of Rabbinism had been misinformed about the true essence of Hasidism, and he invited his opponent to a literary dispute for the purpose of elucidating the truth and "restoring peace in Israel." But the Gaon refused to enter

[1 The title of the work is *Likkute Amarim*, "Collected Discourses." It is called *Tanyo* from the first word.]

[2 Among the incriminated ideas was that of the presence of the Deity in all existing things and in all, even sinful, thoughts, and the concomitant mystical theory of "raising the sparks to the source," *i. e.* extracting good from evil, righteousness from sinfulness, and pure passion from impure impulses.

into polemics with a "heretic." In the meantime the Vilna epistle continued to circulate in many communities, and gave rise to severe conflicts between Mithnagdim and Hasidim, the former as a rule taking the offensive.

Exasperated to the point of madness by these persecutions, the Hasidic association of Vilna was stung into perpetrating an act of gross tactlessness. When, in the fall of 1797, about a year after the publication of his last circular, the aged Gaon closed his eyes, and the whole community of Vilna was plunged into mourning, the local Hasidic society met in a private house and indulged in a gay drinking bout, to celebrate the deliverance of the sect from its principal enemy. This ugly demonstration arranged on the day of the funeral raised a storm of indignation throughout the community. Before leaving the cemetery, the leaders of the community, standing at the Gaon's grave, pledged themselves solemnly to wreak vengeance upon the Hasidim. On the following day the Kahal elders were called to a special meeting, at which a series of repressive measures against the Hasidim was adopted. Apart from the measures to be made public, such as a new bull of excommunication against the sectarians, the meeting passed several resolutions which were to remain confidential. A special committee of five Kahal members was appointed, and was vested with large powers, for the purpose of grappling with the "heresy." Subsequent events proved that among the contemplated means of warfare was included the plan of informing against the leaders of the sect to the Russian Government.

It did not take long for the disgraceful scheme to be put into action. Soon the Prosecutor-General in St. Petersburg, Lopukhin, received a denunciation directing his attention "to the political misdeeds perpetrated by the chief of the Karliner

[Hasidic] sect, Zalman Borukhovich [son of Borukh]," and his fellow-workers in Lithuania. Under the influence of this denunciation, Lopukhin, acting in the name of the Tzar, ordered the local gubernatorial administration, early in the fall of 1798, to arrest Zalman, the head of the sect, in the townlet of Lozno, together with twenty-two of his accomplices who were found in Lithuania. Zalman was apprehended and dispatched post-haste to St. Petersburg, accompanied by "a strong convoy"; his incriminated followers remained under arrest in Vilna.

Zalman was arraigned before the so-called "Secret Expedition," a department which dealt with crimes of a political nature. A long bill of indictments was read out to him. He was accused of being the founder of a harmful religious sect, which had changed the order of divine service among Jews, of spreading pernicious ideas, and collecting funds for mysterious purposes in Palestine. The cross-examination clearly implied the charge of *political* disloyalty. To all questions laid before him, the accused gave an elaborate written reply in Hebrew. Zalman's defense, which was translated from the Hebrew into Russian, produced a favorable impression in Government circles. Acting upon the report submitted to him by the Prosecutor-General respecting "all the circumstances revealed by the investigation," Tzar Paul I. issued an order to liberate Zalman and the other sectarian chiefs who had been placed under arrest, but to keep "a strict watch over them as to whether there exists, or is liable to come into existence, a secret relationship or correspondence between them and those who entertain perverted notions concerning the authorities and the form of Government." Towards the end of 1798 Zalman was allowed to return home, and the other prisoners were likewise set at liberty.

Now it was the turn of the Hasidim to retaliate on their persecutors. In view of the fact that the persecutions against them had been instigated by the Kahal elders of Vilna, who had composed the "Committee of Five," the Hasidim made up their mind to depose these elders and put their own partisans in their places. With the help of bakhshish the Vilna Hasidim managed to secure the good-will of the gubernatorial administration. In the beginning of 1799 they lodged a complaint with the local authorities against the Kahal elders, charging them with having perpetrated all kinds of abuses, including the embezzlement of public funds. This action resulted in the removal and imprisonment of several elders. Under official pressure their places were filled by new elders, who either were themselves Hasidim or had been recommended by them. The community of Vilna was rent in twain. One section remained true to the dismissed elders, the other stood up for the newly-elected. The warring factions were busy sending complaints and denunciations directed against each other to the Government in St. Petersburg. The canker of "informing," which, perhaps not accidentally, had developed in the first years of Russian rule in Lithuania, brought to the front one hideous personality, a rabbi-informer by the name of Avigdor Haïmovich (son of Hayyim), of Pinsk.

Avigdor, formerly rabbi of Pinsk and the surrounding district, had been dismissed from office owing to the intrigues of the Hasidic members of the community, who were his opponents. What Avigdor lamented most was the loss of revenue. For a long time the dethroned shepherd had been dragging his flock through the magistracies and law courts. Having failed in his efforts, he decided to wreak vengeance upon the leader of the sect responsible for his ruin. In

the beginning of 1800 Avigdor addressed an elaborate petition to Tzar Paul I., in which he described the Hasidic sect as "a pernicious and dangerous organization," which was continuing the work of the former Messianic Sabbatians. By a vast array of distorted quotations from Hasidic literature the informer endeavored to prove that the teachers of the sect enjoined upon their followers to fear only God and not men, in other words, to disregard the authorities, including the Tzar.

The denunciation was allowed to take its course. Early in November of the same year, the Tzaddik Zalman Borukhovich was rearrested in Lozno and dispatched to St. Petersburg under the convoy of two Senatorial couriers. On his arrival in the capital the Tzaddik was incarcerated in the fortress, and after a cross-examination confronted with his accuser Avigdor. Zalman again replied in writing to the indictments against him, which now mounted up to nineteen counts. He repudiated emphatically the charge of not recognizing the authority of the Government, of immorality, of collecting money, and arranging meetings for secret purposes. Towards the end of November Zalman was set at liberty, but was ordered to remain in St. Petersburg pending the examination of his case by the Senate, to which it had now been transferred from the Secret Expedition. While the Senate was preparing to take up the case, the palace revolution of March, 1801, cut short Paul's reign, and placed Alexander I. upon the throne. The political wind veered round, and on March 29, 1801, the new Tzar gave Zalman permission to depart from St. Petersburg.

Having satisfied itself that the religious schism in Judaism was perfectly harmless from the political point of view, the Government was ready to give it its sanction. One of the

clauses of the Statute of 1804 permits the sectarians to establish their own synagogues in every community and to elect their own rabbis, with the sole stipulation that the Kahal administration in each city shall remain one and the same for all sections of the community. As a matter of fact, the law merely recognized what had already become the living practice. The religious split had long been an accomplished fact, and the internecine strife of 1796-1801 was merely its final act. As for the communal organization of the Jews, which had already been undermined by the political changes, the schism proved nothing short of disastrous. The Kahals, weakened by inner struggles and demoralized by denunciations and bureaucratic interference, failed to present a united front in the first years of Alexander's reign, when the Government was carrying out its "plan of reform," and invited the Kahal leaders to share in its labors. The communities of the Southwest, which were completely under the ban of Hasidic mysticism, reacted feebly to the social and economic crisis facing them. The Jewish delegates who presented their views in reply to the official inquiries of 1803 and 1807 [1] were recruited principally from the White Russian and Lithuanian Governments, where the political sense of the Jews had not yet been completely dulled.

3. Rabbinism, Hasidism, and Enlightened "Berlinerdom"

While in Western Europe the old forms of Jewish life were breaking up, the cultural development of the Jewish masses of Eastern Europe remained stationary. The two dominating forces in their spiritual life, Rabbinism and Hasidism, watched

[1] See pp. 339, 349.

with equal zeal over the maintenance of the old order of things. The traditional form of education remained unchanged. The old school, the heder and yeshibah, with its exclusive Talmudic training, supplied its pupils with a vast amount of mental energy, but failed to prepare them for practical life, and the girls and women remained entirely outside the influence of the school. Just as firmly established was the old-fashioned scheme of family life, with its early marriages, between the years of thirteen and sixteen, with the prolonged maintenance of such married children in the paternal home, with its excessive fertility in the midst of habitual poverty, with its reduction of physical wants to the point of exhaustion and degeneration. This patriarchal mass of Jews fought shy of all cultural "novelties," and deprecated the slightest attempt to extend its mental and social horizon. Religious culture had not yet had a chance to cross swords with secular culture. The war between Hasidism and Rabbinism was fought on purely religious soil. Its sole issue was the *type* of the believer: the old discipline with its emphasis upon the scholastic and ceremonial aspect of Judaism was fighting against the onrush of ecstatic mysticism and the blind "cult of saints."

It cannot be said that benumbed Rabbinism revived under the effect of this vehement contest. At the time we are speaking of no distinct traces of such a revival are to be seen, and all one can discern are the signs of a purely scholastic renaissance. The method of textual analysis introduced by Elijah Gaon into Talmudic research, which took the place of the hair-splitting casuistry formerly in vogue, gained ever wider currency and an ever firmer foothold in the yeshibahs of Lithuania.

In the new center of Talmudic learning, the yeshibah of the Lithuanian townlet of Volozhin,[1] established in 1803, this

[1] In the Government of Vilna.]

novel method received particular attention at the hands of its founder, Rabbi Hayyim Volozhiner, a pupil of the Gaon. The yeshibah of Volozhin raised a whole generation of scholars and rabbis "in the spirit of the Gaon." In these circles one could even detect a certain amount of toleration towards the anathematized "secular sciences," though this toleration was limited to the realm of mathematics and partly that of natural history. The Gaon, who had himself engaged in mathematical exercises in his spare moments, permitted his pupil Borukh Shklover to publish a Hebrew translation of Euclid's Geometry (1780). Yet the dread of philosophy was as great as theretofore, and the incompatibility of free research with Judaism was looked upon as an inviolable dogma. The Jewish mind continued to move within the narrow range of "the four ells of the Halakha," and was doomed to sterility. In the course of that whole stormy period, extending over a quarter of a century, Rabbinism, aside from the Gaon, had not put forward a single literary figure of any magnitude, not a single writer of large vision. It seemed as if the spirit of originality had fled from it.

Greater productivity was to be found among the Hasidim of the period, although in point of originality it yielded considerably to the preceding era of the Besht and his first apostles. Alongside of triumphant practical Tzaddikism, trading in miracles and thriving on the credulity of the masses, we observe to a certain degree the continued development of the Hasidic doctrine on the lines laid down by Besht. In the North a new Hasidic theory was spreading, which strove to adapt the emotional pietism of Besht to the "intellectualism" of the Lithuanian schoolmen. The originator of this doctrine, Rabbi Shneor Zalman, the hero of the religious struggle depicted in

the foregoing chapters, endeavored to rationalize Hasidism, which had manifested a decided leaning toward the principle *credo quia absurdum sit.* In the hands of the author of *Tanyo,* the ecstasy of feeling is transformed into ecstasy of thinking. Occasionally he speaks of the knowledge of God in terms worthy of a Maimonides. Needless to say, Rabbi Zalman rejects the Tzaddik cult in the vulgar form of miracle-mongering, which it had assumed in the South.

In the South—to speak more exactly, in the Ukraina—Hasidism persisted in the beaten track. Its two pillars, Levi Itzhok (Isaac) of Berdychev (died 1809) and Nohum (Nahum) of Chernobyl (died 1799), continued to uphold Besht's traditions. The former, the author of *Kedushath Levi*[1] (1798), manifests in his work the genuine fervor of Hasidic faith, without its morbid ecstasy. In his private life this leader of Volhynian Hasidism was the embodiment of lovingkindness, extending alike to Jew and non-Jew. Many popular legends tell of his surpassing affection for the humble and suffering. The Tzaddik Nohum of Chernobyl, who was an itinerant preacher in the Government of Kiev, laid in his sermons special emphasis on the element of the Cabala. Towards the end of his life he was primarily a Tzaddik, of the "practitioner" and "miracle-worker" type, and founded the "Chernobyl Tzaddik dynasty," which is still widely ramified in the Ukraina.

Quite apart from the rest stands the figure of the Podolian Tzaddik and dreamer Nahman of Bratzlav (1772-1810), a great-grandson of Besht. Gifted with a profoundly poetical disposition, he spurned the beaten tracks of the professional "Righteous," and struck out into a path of his own. The goal he aimed at was the return to the childlike simplicity of

[1 "The Holiness of Levi."]

Besht's teachings. In 1798-1799 Nahman made a pilgrimage to Palestine, just about the time when Bonaparte's army was marching through the Holy Land, and a gust from tempestuous Europe drifted through the slumbering East. But the Podolian youth had an ear only for the whisper from the tombs of the great Cabalist teachers, Rabbi Shimeon ben Yohai and Ari, and for the discourses of the living Tzaddiks who had settled in Tiberias. On his return to Europe, Nahman made his home in Bratzlav, and became the head of a group of Podolian Hasidim. In his intimate circle he was wont to preach, or rather to muse aloud, on the reign of the spirit, on the communion of the Tzaddik with his flock in religious ecstasy. He spoke in epigrams, sometimes clothing his thoughts in the form of folk-tales. He wrote a number of books,[1] in which he constantly emphasized the need of blind, unsophisticated faith. Philosophy he regarded as destructive to the soul; Maimonides and the rationalists were hateful to him. The unfamiliar Berlin "enlightenment" filled his heart with mysterious awe. Nahman's life was cut short prematurely. Surrounded by his admirers, he died of consumption, in Uman, at the age of thirty-eight. Down to this day his grave serves as a place of pilgrimage for the "Bratzlav Hasidim."

However, the average Tzaddik of the type which had assumed definite shape in that period was equally removed from the complexity of Rabbi Zalman and the simplicity of Rabbi Nahman. On the whole, the Tzaddiks drifted further and further away from their mission of religious teachers, and became more and more "practitioners." Surrounded by a host of enthusiastic worshipers, these "middlemen between

[1] *Likkute Maharan*, "Collected Sayings of MaHaRaN" [abbreviation of *M*orenu *Ha-R*ab *R*abbi *N*ahman], and others.

God and mankind" understood the art of turning the blind faith of the masses to good account. They waxed rich on the gifts and offerings of their admirers, lived in palaces, much after the manner of the Polish magnates and Church dignitaries. The "court" of Besht's grandson in Medzhibozh, Borukh Tulchinski (1780-1810), was marked by particular splendor. Borukh even had his court-fool, Herschel Ostropoler, the well-known hero of popular anecdotes.

In the original Polish provinces, afterwards incorporated into the Duchy of Warsaw, the commanders-in-chief of the Hasidic army were two Tzaddiks, Rabbi Israel of Kozhenitz and Rabbi Jacob Itzhok (Isaac) of Lublin. These two pupils of the "apostle" Baer of Mezherich became the pioneers of Hasidism on the banks of the Vistula towards the end of the eighteenth century. At the close of their careers—both died in 1815—the banner of Hasidism floated over the whole of Poland.

The breezes of Western culture had hardly a chance to penetrate to this realm, protected as it was by the double wall of Rabbinism and Hasidism. And yet here and there one may discern on the surface of social life the foam of the wave from the far-off West. From Germany the free-minded "Berliner," the nickname applied to these "new men," was moving towards the borders of Russia. He arrayed himself in a short German coat, cut off his earlocks, shaved his beard, neglected the religious observances, spoke German or "the language of the land," and swore by the name of Moses Mendelssohn. The culture of which he was the banner-bearer was a rather shallow enlightenment, which affected exterior and form rather than mind and heart. It was "Berlinerdom," the harbinger of the more complicated Haskala of the following period, which was

imported into Warsaw during the decade of Prussian dominion (1796-1806). The contact between the capitals of Poland and Prussia yielded its fruits. The Jewish "dandy" of Berlin appeared on the streets of Warsaw, and not infrequently the long robe of the Polish Hasid made way timidly for the German coat, the symbol of "enlightenment."

Alongside of this external assimilation, attempts were also made to copy the literary models of Prussian Jewry. In 1796 a Jewish Mendelssohnian named Jacques Kalmansohn published a French pamphlet in Warsaw, under the title *Essai sur l'état actuel des Juifs de Pologne et leur perfectibilité,* dedicating it to the Prussian Minister Hoym, who had carried out Jewish reforms in the Polish provinces of Prussia. The pamphlet contains an account of the status of Polish Jewry of his time and a plan for its amelioration. The account is rather superficial, concocted after the approved Western recipe. In the judgment of the author, the misfortune of the Jews lies in their separation from the surrounding nations, and their happiness in merging with them. The scheme of reform proposed by the Jew Kalmansohn differs but slightly from the Polish projects of Butrymovich and Chatzki. It advocates equally the weakening of rabbinical and Kahal authority, the extermination of Hasidism and Tzaddikism, the introduction of German dress, the shaving of beards, the establishment of German schools, and in general the cultivation of "civism."

The mould of Berlin fashion was overlaid with a Parisian veneer when soon afterwards (1807-1812), at the bidding of Napoleon, the Duchy of Warsaw sprang into being. Now a new note was sounded. A group of Parisian "dandies" claim equal rights as a compensation for having changed their dress

and their "moral conduct."[1] Even respectable representatives of the Warsaw Jewish community designate themselves in their petition to the Senate as "members of the Polish nation of the Mosaic persuasion," copying the latest Parisian fashion, in vogue at the time of the Napoleonic Synhedrion.[2] This was the first, though as yet naïve and unsophisticated, attempt to secure the "transfer" from the Jewish nation to the Polish, the germ of the future "Poles of the Old Testament persuasion."

The torch-bearers of Berlin culture from among the followers of David Friedländer encouraged this frame of mind in every possible manner, and in their organ[3] constantly appealed in this spirit to their Polish brethren.

How long will you continue—one of these appeals reads—to speak a corrupt German dialect [Yiddish] instead of the language of your country, the Polish? How many misfortunes might have been averted by your forefathers, had they been able to express themselves adequately in the Polish tongue before the magnates and kings! Take a group of a hundred Jews in Germany, and you will find that either all or most of them can speak to the magnates and rulers, but in Poland scarcely five or ten out of a hundred are capable of doing so.

Some stray seeds of Western "enlightenment" were carried as far as the distant Russian North. During Dyerzhavin's tour of inspection through White Russia there flitted across his vision the figure of the physician Frank in Kreslavka, an avowed follower of Mendelssohn, calling for religious and educational reforms.[4] In St. Petersburg, in the house of the Maecenas Abraham Peretz, lived his teacher Judah Leib Nye-

[1] See p. 300.]
[2] See p. 301.
[3] The Hebrew periodical *Ha-Me'assef* ("The Collector"), which was founded in Berlin in 1784, and appeared until 1811.]
[4] See p. 331.

vakhovich, a native of Podolia. In 1803, the same year in which the Jewish deputies sojourned in St. Petersburg, Nyevakhovich published a pamphlet in Russian, under the title, "The Wailing of the Daughter of Judah," with a dedication to Kochubay, the Minister of the Interior and Chairman of the "Jewish Committee." The dedication strikes the keynote of the "Wailing": genuflexion before the greatness of Russia and mortification at the fate of his coreligionists, who are deprived of their share in the "blessings" of the country.

"How greatly," exclaims the author, "doth my soul exult over these matters [the victories and might of the Russian Empire]; how deeply doth it grieve over my coreligionists, who are removed from the hearts of their compatriots." And throughout the whole of the pamphlet the "Daughter of Judah" bewails the fact that neither the eighteenth century, "the age of humanity, toleration, and meekness," nor "the smiling spring of the present century, the beginning of which hath been crowned . . . . by the accession of Alexander the Merciful, has removed the deep-seated Jewish hatred in Russia." "Many minds doom the tribe of Judah to contempt. The name 'Judean' hath become an object of ridicule, contempt, and scorn for children and the feeble-minded." With particular reference to Mendelssohn and Lessing the author exclaims: "You search for the Jew in man. Search for man in the Jew, and you will no doubt find him."

Nyevakhovich's pamphlet concludes with a grievous moan:

> While the hearts of all the European nations have drawn nearer to one another, the Jewish people still finds itself despised. I feel the full weight of this torment. I appeal to all who have sympathy and compassion. Why do you sentence my entire people to contempt? Thus waileth sadly the daughter of Judah, wiping her tears, sighing and yet uncomforted.

The author himself, by the way, subsequently managed to obtain comfort. A few years after the publication of the "Wailing," still finding himself "removed from the hearts of his compatriots," he discovered the magic key to these obstreperous hearts. He embraced Christianity, and, transformed into Lev Alexandrovich Nyevakhovich, began to write moralizing Russian plays, which pleased the unsophisticated taste of the Russian public of the day. Nyevakhovich thus carried his "Berlinerdom" to that dramatic *dénouement* which was in fashion in Berlin itself, where an epidemic of baptism was raging. His example was followed by his patron Abraham Peretz, who had been ruined in the War of 1812 by military contracts. The descendants of both converts occupied important posts in the Russian civil service. One of the Peretz family was a member of the Council of State during the reign of Alexander II.

A faint reflection of the Western literature of enlightenment is visible during this period on the somber horizon of Russia. Mendel Lewin, of Satanov[1] (1741-1819), who had been privileged to behold in the flesh the Father of Enlightenment in Berlin, scattered new seeds in his native country. He translated into Hebrew the popular manual of medicine by Tissot, the moral philosophy of Franklin, and the books of travel by Campe. He also made an attempt to render the Book of Proverbs and Ecclesiastes into the vernacular Yiddish.

The last undertaking drew upon Lewin the wrath of another "enlightened" writer, Tobias Feder of Piotrkov and Berdychev (died 1817), who attacked him savagely for "profaning" Holy Writ by turning it into the "language of the street." Feder himself published studies in Hebrew grammar and Biblical exegesis, moralizing treatises, harmless satires, and

[1 In Podolia.]

poetical odes. These publications cannot be said to mark an epoch in the realm of literature, but they undoubtedly symbolize a new departure in cultural life. The secular book, of which the mere appearance was apt to arouse a murmur of discontent among the alarmed Orthodox, takes its place side by side with the religious literature of Rabbinism and Hasidism. These literary attempts were the harbingers of the subsequent secularization of Hebrew literature.

CHAPTER XII

THE LAST YEARS OF ALEXANDER I.

1. "The Deputation of the Jewish People"

The great reaction of 1815-1848, which kept the whole of Europe in its throes, assumed peculiar forms in Russia. Tzar Alexander I., one of the triumvirs of the Holy Alliance, which had given birth to this reaction, was eager to atone for the liberal "sins" of his youth, and was cultivating in Russia the principles of "paternal administration" and "Christian government." The last decade of his reign paved the way for the iron-handed absolutism of Nicholas I., which fettered the political and social life of Russia for thirty years, and stood like an ominous specter of medievalism before the eyes of Western Europe.

The destinies of the great monarchy of the East determined those of the greatest Jewish center of the Diaspora. The Vienna Congress of 1815 enlarged the borders of European Russia by including in it almost the entire territory of the former Duchy of Warsaw, which was renamed "Kingdom of Poland."[1] About two million Jews were huddled together on the western strip of the Russian monarchy during the period of 1815-1848,[2] and this immense, sharply marked popu-

[1] In Russian, *Tzarstvo Polskoye*. The names Congress-Poland and Russian Poland are also frequently used.]

[2] The statistics of the period are far from being accurate. They are nevertheless nearer the truth than those of the preceding age. The official "revisions" of 1816-1819 brought out the fact that a large number of Jews had not been entered on the lists, and the Government took severe measures against those evading the census. Relying upon official information, Jost (see his *Neuere Geschichte der Israeliten*, ii. 122) computed, in 1845, the total number of Jews in Russia, including those of the Kingdom of Poland, at 1,600,000, but he was careful to point out that, in his opinion, the actual number of Jews was considerably larger.

lation served as the subject of all possible experiments, which assumed the coloring of the general Russian politics of the time. The last years of Alexander I. inaugurate the period of patronage and oppression, which reached its culmination in the following reign.

The attitude of the Russian Government towards the Jews during that period reflects three successive tendencies: first, in the last years of Alexander I.'s reign (1815-1825), a mixed tendency of "benevolent paternalism" and severe restrictions; second, during the first half of Nicholas I.'s reign (1826-1840), a military tendency, that of "correcting" the Jews by subjecting their youth, from the age of childhood, to the austere discipline of conscription and barrack training, accompanied by compulsory religious assimilation and by an unprecedented recrudescence of rightlessness and oppression; and third, during the latter part of Nicholas's reign (1840-1855), the "enlightened" tendency of improving the Jews by establishing "crown schools" and demolishing the autonomous structure of Jewish life, while keeping in force the former cruel disabilities (1840-1855). This endless "correctional" and "educational" experimenting on a whole people, aggravated by the resuscitation of ritual murder trials and wholesale expulsions in approved medieval style, makes the history of Russian Jews during that period an uninterrupted tragedy.

The beginning of the period did not seem to portend evil. Emperor Alexander returned from the Vienna Congress without harboring aggressive plans against the Jews. On the contrary, he remembered the patriotic services rendered by the Jews in 1812 and the promise given by him at Bruchsal "to ameliorate their condition."[1] As a matter of fact, several

[1] See p. 359.

steps were taken which seemed to point in the direction of improvement.

The first manifestations of this tendency were certain administrative changes in the management of Jewish affairs. The ukase of January 18, 1817, ordered the Senate to submit all matters affecting the Jewish communes, with the exception of legal cases, to the General Manager of the Spiritual Affairs of Foreign Denominations, a post occupied by Golitzin, the Tzar's associate in Christian pietism and mystical infatuation. Later in the same year, the combined Ministry of Ecclesiastic Affairs and Public Instruction was organized, under the guidance of Golitzin, symbolizing, as it were, the establishment of public instruction upon the foundations of "Christian piety." The charter of the new organization distinctly provides that all "Jewish matters in charge of the Senate and the Ministers" are to be transmitted to the head of the new Ministry. In this manner the Jewish question was officially connected with the department of ecclesiastic affairs, which at that time occupied a central place in the administration.

The departmental change was followed by a more substantial reform. The Government recognized the necessity of establishing at the Ministry of Ecclesiastic Affairs a permanent advisory council composed of elected Jewish representatives or "deputies of the Jewish communes." The project was suggested by the ephemeral and accidental endeavors in the way of popular Jewish representation on the part of the two purveyors, Sonnenberg and Dillon, who were attached to the headquarters of the Russian army during the campaign of 1812. At the audience at which Alexander I. gave these deputies the assurance that the condition of their coreligionists would be

improved,[1] they were also told to appear in the capital after the conclusion of the war for the purpose of acquainting the Kahals with the plans of the Government. The deputies accordingly appeared in St. Petersburg, and entered upon their duties as Jewish spokesmen, which they exercised during 1816 and 1817. They realized, however, that they had no right to regard themselves as the accredited representatives of the Jewish communities of Russia, and therefore appealed to the Government—Sonnenberg was particularly active in this direction—to instruct all the Kahals to elect a complete group of deputies in due form. The Government having agreed to the proposal, a clause was included in the instructions to the newly-established Ministry of Ecclesiastic Affairs, to the effect that "the [names of the] deputies of the Jewish communes shall after their election be submitted by the Minister to his Majesty for ratification."

In the autumn of 1815 all the large Kahals received orders from the governors to choose an electoral college, two electors for each Government. In August, 1818, the twenty-two electors chosen from eleven Governments assembled in Vilna to elect from their own midst three deputies and an equal number of substitutes. The choice fell, apart from the former deputies Sonnenberg and Dillon, on Michael Eisenstadt, Benish Lapkovski, and Marcus Veitelson, all from the Government of Vitebsk, and Samuel Epstein from the Government of Vilna. To provide for the expenses of the deputies, who were to live in St. Petersburg, the Vilna conference issued an appeal to all Jewish communities calling upon them to make an "embroidery collection," *i. e.* to cut off and convert into cash the

[1 See p. 359.]

embroidered collars which well-to-do Jews attached to their "Kittels" (shrouds worn beneath the prayer shawls on the Day of Atonement), though the alternative of donating their value in money was allowed. The Jews, who had been ruined during the war, were evidently not in a position to tax themselves directly.

Soon afterwards followed the establishment of a special department, which was placed at the service of "the Deputation of the Jewish People," the name by which this college of deputies, presided over by the energetic Sonnenberg, was frequently designated. The "college," either as a whole or through its individual members, labored for seven years (1818-1825), but its activity was too limited to justify the expectations of Russian Jewry. The hope of the deputies, that they would be consulted about the general problems bearing on the proposed amelioration of Jewish conditions, failed to materialize. On the contrary, the Government had in the meantime abandoned all thought of legislative reforms, and a little later even began to contrive ways and means of carrying into effect the restrictive clauses of the Statute of 1804, which had been suspended in its operation by the War of 1812.

The deputies, who resided in St. Petersburg and did a great deal of lobbying, frequently managed in their intercourse with the officials to ferret out these "designs" of the authorities and to communicate their findings secretly to the Kahal leaders in the provinces. At the same time they endeavored of their own accord to avert the danger by personal negotiations with the leading officials. While reporting on the one hand to the Kahals, the deputies on the other hand transmitted to Golitzin, the Minister of Ecclesiastic Affairs, the petitions of the Kahals and their complaints against the local administration. The deputies were thus reduced, by the force of circumstances,

to mere go-betweens in Jewish matters. In exercising this function, some of them, Sonnenberg in particular, were indefatigable. They tried the patience of the high officials with their petitions and representations, and on one occasion Sonnenberg was even deprived of his post of deputy for "impertinent conduct towards the authorities." The bureaucracy of St. Petersburg began to resent these endless solicitations and this constant meddling with their plans.

Gradually the deputies themselves lost heart, having realized their impotence in grappling with the rising wave of reaction. Some of them left St. Petersburg altogether. The downfall of Golitzin's Ministry of Ecclesiastic Affairs, which had been undermined by the ultra-reactionary Arakcheyev party,[1] involved, as a natural consequence, the downfall of the curious Jewish representation affiliated with it. Golitzin's successor as Minister of Public Instruction, the obscurantist Shishkov, made representations to the Tzar concerning the necessity of abolishing the institution of Jewish deputies, "numerous instances having demonstrated that their stay here is not only unnecessary and useless but even very harmful, inasmuch as, under the pretext of working for the public interest, they collect money from the Jews for no purpose, and prematurely advertise the decisions and even the intentions of the Government." In 1825 the "Deputation of the Jewish People" was abolished. Thus ended an organization beautifully conceived, but mutilated in execution, one that might well have served as a substitute for Jewish communal representation, and might have

[1 Alexis Arakcheyev (b. 1769) had been prominent in Russian military affairs under Paul and Alexander, and had attained to fame on account of his iron discipline. Beginning with 1814, he gradually gained the complete confidence and friendship of Alexander. He died in 1834.]

softened the *régime* of caprice and blighting patronage which ate deeper and deeper into the vitals of Russian politics.

2. Christianizing Endeavors

It was quite in harmony with the spirit of the new era that the solicitude of the Russian Government for the Jews should have manifested itself in an attempt at saving their souls. Christian pietism was the fashion of the day, and Alexander I. and Golitzin, the Minister of Ecclesiastic Affairs, both of whom were mystically inclined, conceived the idea of becoming the instruments of Divine Providence in converting the Jews to Christianity. Golitzin, who was the president of the Russian Bible Society, and was anxious to make it a faithful copy of its English model, the Missionary Bible Society of London, approached the missionary problem in his own way. On March 25, 1817, the Tzar published an ukase calling for the formation of a "Society of Israelitish Christians," for the purpose of assisting Jews already converted or preparing for conversion.

We have learned—the ukase reads—of the difficult situation of those Jews who, having by Divine Grace perceived the light of Christian truth, have embraced the same, or are making ready to join the flock of the good Shepherd and the Savior of souls. These Jews, whom the Christian religion has severed from their brethren in the flesh, lose every means of contact with them, and not only have forfeited every claim to their assistance, but are also exposed to all kinds of persecutions and oppressions on their part. Nor do they readily find shelter among Christians, their new brethren in the faith, to whom they are as yet unknown. . . . . For this reason we, taking to heart the fate of the Jews converted to Christianity, and prompted by reverent obedience to *the Voice of Bliss which calleth unto the scattered sheep of Israel to join the faith of Christ*, have deemed it right to adopt measures for their welfare.

The "welfare" held out to the converts was of a rather substantial nature. Each of their groups was to be allotted free crown lands in the southern and northern provinces, with the right of founding all kinds of settlements, townlets, and cities. They were to be granted full civil equality, extensive communal self-government, and special alleviations in the payment of taxes. These groups, or colonies, of Jews, after being converted to the Greek Orthodox, Catholic, or Lutheran faith, were to form part of the "Society of Israelitish Christians," which was to be managed by a special committee to be appointed in St. Petersburg under the patronage of the Emperor. The solemn phraseology of the Imperial ukase shows unequivocally that the Government was not satisfied with the modest task of rendering assistance to occasional neophytes. It was ready to embark upon a vast undertaking, that of encouraging baptism among the Jewish population, and organizing the converted masses into separate, privileged communes, to serve as a bait for the Jews still languishing in their old beliefs. The imagination of the Russian legislators pictured to them the fascinating spectacle of huge masses of Jews marching "to join the faith of Christ," drawn to it not only by heavenly, but also by earthly, "bliss."

The missionary mood of the heads of the Russian Government was speedily utilized by Lewis Way, a representative of the London Bible Society. Way was thoroughly imbued with the apocalyptic belief in the approaching redemption of Israel under the ægis of Christianity. This however did not prevent him from looking upon present-day unconverted Israel with sentiments of profound respect, as the banner-bearer of a great Divine mission in the history of mankind, and he was deeply aroused over the civil disabilities to which they were subjected

in the various countries of Europe. When the monarchs who had concluded the Holy Alliance assembled, in the autumn of 1818, with their ministers and diplomats at the Congress in Aix-la-Chapelle, Way grasped the occasion to submit to Alexander I. a "Memorandum Concerning the Condition of the Jews,"[1] in which he appealed to the Russian Tzar to emancipate the Jews of his dominions and persuade the Prussian and Austrian rulers to do likewise.

In the course of my protracted travels through the lands of Poland, for the purpose of gathering information about the Jews, I came—says Way—to the conclusion that Providence has not in vain placed so many thousands of Jews under the protection of three Christian sovereigns. Rather has this taken place in fulfilment of the promises given to the Patriarchs.

If the Jews are to join the flock of Christ, they ought to be treated like children, and regarded as equal members of human society. Captive Israel must be set free materially, before it can be liberated spiritually. Way therefore implores the Russian Tzar to set the example, "which will produce its effect upon the whole world."

The Tzar received Way's memorandum, and turned it over to Nesselrode, the Minister of Foreign Affairs, with instructions to submit it to the Congress for consideration. At a meeting of Ministers-Plenipotentiary, representing Russia, Austria, Prussia, England, and France, held on November 21, 1818, Way's memorandum, together with his elaborate, printed project for a pan-European "reform of the civil and political legislation" affecting the Jews, came up for discussion. The diplomats, who were least of all concerned about the Jewish

[1] It was written in French, under the title *Mémoires (sic!) sur l'état des Israélites.*

question, and had no desire to make this "domestic affair" of each Government an object of international negotiations, agreed upon the following resolution:

> Without entering into the merits of the view entertained by the author of the project, the conference recognizes the justice of his general tendency, and takes cognizance of the fact that the plenipotentiaries of Austria and Prussia [Metternich and Hardenberg] have declared themselves ready to furnish all possible information concerning the Jewish situation in those two monarchies in order to clarify a problem which must claim the attention equally of the statesman and the humanitarian.

By means of this hollow, liberal-sounding phrase, which did not involve the slightest obligation, the diplomats managed to rid themselves of this vexatious problem, even the perfunctory attention given to it at the Congress having been prompted by no other motive than consideration for the Russian Emperor. For the rest, every one of the three allied Governments which had distributed Poland among themselves went on to handle "its" Jews according to the requirements of its domestic policy, which was frankly reactionary, and was not even disguised by the fictitious label of humanitarianism.

The same domestic policy continued in Russia. The Tzar, who abroad had listened benevolently to Way's appeal for the civil emancipation of the Jews, irrespective of the future salvation of their souls, decided, when at home again, to leave everything untouched, looking for a partial solution of the Jewish problem to the fantastic endeavors of the Society of Israelitish Christians. Undeterred by the fact that the solemn appeal issued by the Tzar in 1817 had, during the three years since its promulgation, failed to attract a single group of converts, for the simple reason that such groups were not in

existence, there being only rare isolated instances of baptism, prompted in most cases by questionable motives, the Government set aside, in 1820, a large tract of land in the Government of Yekaterinoslav for a future settlement of "Israelitish Christians." It even appointed a special official, with the title Curator, to take charge of it.

But year after year passed by and the empty land was waiting in vain for settlers, while the idle Curator was just as vainly on the lookout for someone to take care of. At last, in 1823, an obscure group of "Israelitish Christians" appeared on the scene. It consisted of thirty-seven families from Odessa, who expressed their willingness to accept the free lands with all the manifold rights and privileges attached to them. Subsequent inquiries from the office of the Governor-General of New Russia revealed the fact, however, that the claimants to the public pie, though confessing the Greek Orthodox faith, did not possess certificates of baptism, and could not even produce passports, with the result that the application of the adventurers was denied.

At last, realizing the impracticability of the whole missionary scheme, Count Golitzin advised Alexander I., in 1824, to dissolve the mythical Society of Israelitish Christians with its Board of Trustees, which by that time carried a whole staff of Government officials on its budget. The Tzar refused to liquidate by official action an undertaking which had been heralded so solemnly, and the society without a membership, administered by trustees without a trust, continued to figure on the lists of Government institutions until 1833, when Nicholas I. issued a curt ukase putting a sudden end to this bureaucratic phantom. The new ruler had in the meantime discovered entirely different and by no means fantastic contrivances for driv-

ing the Jews into the fold of the Orthodox Church. These contrivances were the military barracks and the institution of Cantonists.

3. "Judaizing" Sects in Russia

While the Russian authorities were dreaming of a wholesale conversion of Jews to Christianity, their attention was diverted by the ominous spectacle of huge numbers of Christians embracing a doctrine closely akin to Judaism. The Russian officials disclosed the existence of a sect of "Sabbatarians" and "Judaizers" in the Governments of Voronyezh, Saratov, and Tula, all of them without Jewish residents, who might otherwise have been suspected of a missionary propaganda among the Greek Orthodox. The new "Judaizing" heresy first engaged the attention of the central Government in 1817, when a group of peasants in the region of Voronyezh addressed a petition to the Tzar in which they naïvely complained of "the oppressions which they had had to undergo at the hands of the local authorities, both ecclesiastic and civil, on account of their confessing the law of Moses." Acting under Imperial instructions, Golitzin gave orders "to examine most rigorously" the origin of the "sect," for the purpose of preventing its further spread and bringing back the renegades into the fold of Orthodoxy.

The Greek Orthodox Archbishop of Voronyezh reported, in substance, as follows:

> The sect came into existence about 1796[1] "through natural Jews." It afterwards spread to several settlements in the districts of Bobrov and Pavlovsk. The essence of the sect, without being directly an Old Testament form of Jewish worship, consists of a

[1] According to subsequent accounts the date was 1806.

few [Jewish] ceremonies, such as Sabbath observance and circumcision, the arbitrary manner of contracting and dissolving marriages, the way of burying the dead, and prayer assemblies. The number of avowed sectarians amounts to one thousand five hundred souls of both sexes, but the secret ones are in all likelihood more numerous.

To exterminate the sect, the Archbishop of Voronyezh proposes various measures, to be carried out partly by the ecclesiastic authorities and partly by the police, among them the deportation of the soldier Anton Rogov, the propagandist of the heresy.

Similar reports from the ecclesiastic authorities of Tula, Orlov, Saratov, and other Great Russian Church districts were soon received by the Synod. The "Judaizing heresy" spread rapidly to the villages and cities, appealing alike to peasants and merchants. Whenever taken to task, the sectarians declared that they longed to return to the Old Testament and "maintain the faith of their fathers, the Judeans."

The central authorities were alarmed, and resorted to extraordinary measures to check the spread of the schism. The Committee of Ministers approved the following draconian project submitted by Count Kochubay in 1823:

The chiefs and teachers of the Judaizing sects are to be impressed into military service, and those unfit to serve deported to Siberia. All Jews are to be expelled from the districts in which the sect of Sabbatarians or "Judeans" has made its appearance. Intercourse between the Orthodox inhabitants and the sectarians is to be thwarted in every possible manner. Every outward display of the sect, such as the holding of prayer-meetings and the observance of ceremonies which bear no resemblance to those of Christians, is to be forbidden. Finally, to make the sectarians an object of contempt, instructions are to be given to designate

the Sabbatarians as a Jewish [1] sect and to publish far and wide that they are in reality Zhyds, inasmuch as their present designation as Sabbatarians, or adherents of the Mosaic law, does not give the people a proper idea concerning this sect, and does not excite in them that feeling of disgust which must be produced by the realization that what is actually aimed at is to turn them into Zhyds.

All these police regulations, in addition to a scheme of disciplinary ecclesiastic measures, proposed by the Synod for the purpose "of uprooting the Judean sect," were sanctioned by Alexander I. (February and September, 1825). The tragic consequences of these reprisals came to light only during the following reign. Entire settlements were laid waste, thousands of sectarians were banished to Siberia and the Caucasus. Many of them, unable to endure the persecution, returned to the Orthodox faith, but in many cases they did so outwardly, continuing in secret to cling to their sectarian tenets.

4. Recrudescence of Anti-Jewish Legislation

As far as the Jews are concerned, the immediate result of these measures was insignificant. The number of Jews involved in the decree of expulsion from the affected Great Russian Governments was infinitesimal, since, owing to the restriction of the Jewish right of residence, the only Jews occasionally to be found there were a few traveling salesmen or distillers. Yet, indirectly, the Judaizing movement had a harmful effect upon the position of Russian Jewry. The Government circles of St. Petersburg, which were religiously attuned, were irritated by the fact that so many from the Ortho-

[1 In the original, *Zhydovskaya*, adjective derived from *Zhyd*. See p. 320, n. 2.]

dox fold went over to the camp of the very people among whom the Government had been hunting vainly for proselytes, and while the colonies so hospitably prepared for the Israelitish Christians were clamoring for inhabitants, many Great Russian villages had to be stripped of their inhabitants, who were deported to Siberia, on account of their Jewish leanings. In the mind of Golitzin, the Minister of Ecclesiastic Affairs, the opinion gained ground that "the Jews are enjoined by their tenets to convert everybody to their religion." These circumstances produced in Russian official circles a frame of mind conducive to repressive measures, and helped to provide a moral justification for them. Accordingly, the last years of Alexander I.'s reign were marked by a recrudescence of religious oppression, which at times assumed the dimensions of wholesale persecutions.

Sentiments of this kind were responsible for the medieval prohibition against keeping Christian domestics. The prohibition was suggested by Golitzin, a man otherwise far removed from anti-Semitic prejudices, and was officially justified in the Senatorial ukase of April 22, 1820, by the alleged proselytism of the Jews. As instances of the latter the Senate quotes the Judaizing movement in the Government of Voronyezh, the communication of the Governor of Kherson concerning certain Christian domestics in Jewish homes, who had adopted Jewish customs and ceremonies, and so forth.

The same motives, strengthened by the tendency of removing the Jews from the villages, long since pursued by the Government, suggested harsher restrictions in letting to Jews manorial estates with the peasant "souls" attached to them. Ukases issued in 1819 and in subsequent years enjoin the local administration to prosecute all so-called "krestentzya" con-

tracts, transactions whereby the squire leased the harvest of a given year to a Jew, entitling him to employ the peasants for gathering the grain and hay and for other agricultural labors. Such transactions were looked upon as a criminal encroachment of the Jews upon the right of owning slaves, which was the prerogative of the nobles. Orders were accordingly given, that all such farm leases be taken away from the Jews, in spite of the complete ruin of the Jewish lessees, who were left to settle their accounts with the squires.

At the same time the Government set out again to realize its devout consummation—the expulsion of the Jews from the villages and hamlets already provided for by the Statute of 1804, though suspended for a time when the cruelty of the measure spelling ruin to tens of thousands of Jewish families had become apparent. The arguments by means of which the Jewish Committee had endeavored in 1812 to convince, and finally did convince, the Government of the impracticability of such a migration of nations, were blotted out from memory. The local and central authorities were again on the war path against the Jews. To renew the campaign against the rural Jews, the methods which had been tried with success in the time of Dyerzhavin were again resorted to. When, in 1821, hapless White Russia was again stricken by a famine, which affected the Jews to a considerable extent, the local nobility was once more on the alert, placing the whole responsibility for the ruin of the peasantry on the Jewish tenants and saloonkeepers. The landlords proposed that the Government expel all the Jews from the province or at least forbid them to sell spirits in the rural settlements, since the Jews "lead the peasants into ruin." The local authorities, in reply to an

inquiry of Senator Baranov, who had been dispatched from St. Petersburg to White Russia, expressed a similar opinion.

The question was first brought up before the Committee which was charged with the task of giving relief to the Governments of White Russia, and included several ministers, among them the all-powerful Arakcheyev. The Relief Committee approved the restrictive project of the nobility, and so, a little later, did the Committee of Ministers. The result was a stern ukase of the Tzar, addressed, on April 11, 1823, to the governors of White Russia, to the following effect:

(1) To forbid the Jews in all the settlements of the Governments of Moghilev and Vitebsk to hold land leases, to keep public houses, saloons, hostelries, posts, and even to live in them [in the villages], whereby all farming contracts of this kind are to become null and void by January 1, 1824. (2) to transplant all the Jews in these two Governments from the settlements into the cities and towns by January 1, 1825.

In signing this ukase, which spelled sorrow and misery for thousands of families, Alexander I. gave verbal instructions to the Committee of Ministers, to point out to the White Russian Governor-General Khovanski "ways and means of obtaining employment and designating sources of livelihood for the local Jews in their new places of abode." But no "ways and means" of any kind could mitigate the misery of people doomed to expulsion from their old nests and reduced to beggary and vagrancy.

Immediately on the receipt of the ukase the local authorities embarked upon their task with relentless cruelty. By January, 1824, over twenty thousand Jews of both sexes had been driven from the villages of both Governments. Hordes of hapless refugees, with their wives and children, began to flock into the

overcrowded towns and townlets. There they could be seen, stripped almost to their shirts, wandering aimlessly in the streets. They lived in frightful congestion, as many as ten of them being squeezed into a single room. They were huddled together in the synagogues, while many of them, unable to find shelter, remained on the streets with their families facing the winter cold. Sickness and increased mortality began to spread among them, particularly in the city of Nevel. Even the anti-Jewish Governor-General Khovanski, who was making a tour of inspection through the stricken district, was stirred by the spectacle, and advised the Committee of Ministers to stop the disastrous expulsions. But the blow had been dealt. By the beginning of 1825 the majority of rural Jews had been expatriated, and turned out into the wide world.

The question naturally arises, whether this human holocaust was required in the interest of the country. The Government itself gave the answer twelve years later—when it was too late.

> As far as White Russia is concerned—quoth the Council of State in 1835—experience has not justified our anticipations of the usefulness of the indicated measure [the expulsion from the villages]. Twelve years have passed since it was carried into effect, but from the data collected in the Department of Law it is quite manifest, that, while it has ruined the Jews, it does not in the least seem to have improved the condition of the villagers.

The White Russian orgy of destruction was merely the prelude to a new legislative campaign against the Jews. Almost simultaneously with the ukase ordering the expulsion of the Jews from the villages, another ukase was issued on May 1, 1823, calling for the establishment of a new "Committee for the Amelioration of the Jews." The Committee, which included among its members the Ministers of Interior, Finance,

Justice, Ecclesiastic Affairs, and Public Instruction, was intrusted with a very comprehensive piece of work—

> to examine the enactments concerning Jews passed up to date and point out the way in which their presence in the country might be rendered more comfortable and useful, also what obligations they are to assume towards the Government; in a word, to indicate all that may contribute towards the amelioration of the civil status of this people.

In these soft-spoken terms was couched the *public* function of the Committee. But its *secret* function, which later revealed itself in action, is correctly defined in the frank admission of the Committee of Ministers in its report of 1829: "At the very establishment of the Jewish Committee one of the obligations imposed upon it was to devise ways and means looking generally towards the reduction of the number of Jews in the monarchy." This was evidently what "the amelioration of the civil status" of the Jews amounted to. The new Committee was instructed to finish its work by the beginning of 1824, but its reactionary activity was not fully unfolded until the following reign.

In the meantime the legal machinery did not remain idle. The process of the territorial compression of Jews went on as before. To guard the western frontier of the monarchy against smuggling, it was decided, at the suggestion of the Administrator of the Kingdom of Poland, Grand Duke Constantine Pavlovich, to expel the Jews from the border zone. Two ukases were issued in 1825 ordering the removal of all the Jews residing outside the cities within fifty versts from the frontier, with the exception of those owning immovable property. Once again human beings were hurled from their lifelong domiciles, when a rational policy would have been content

with instituting a closer watch. To prevent the undesirable "multiplication of Jews" in the border Governments, Jewish emigrants from neighboring countries, particularly from Austria, were forbidden to settle in Russia (1824).

Needless to say, the Governments of the interior, where the Jews could sojourn only temporarily, and where they had to produce gubernatorial passports, like foreigners, were carefully guarded against the invasion of the residents of the Pale. On his last trip from St. Petersburg to Southern Russia in September, 1825, Alexander I. espied, in a little village near Luga,[1] a Jewish family, which was engaged in making tin-plate, and he at once inquired "on what ground" it lived there. The Governor of St. Petersburg was frightened, and gave orders to have the family deported immediately from the district, to censure the local *ispravnik*,[2] and to warn the gubernatorial authorities, "that the rules concerning the Jews must be observed with all possible stringency."

5. The Russian Revolutionaries and the Jews

Such was the attitude of the Russian *Government* towards the Jews. But what was the attitude of the Russian *people?* Considering the character of the age, in which public opinion was not able to express itself even in political literature, an answer to this question would be entirely impossible, had not the revolutionary movement of the Decembrists[3] disclosed the frame of mind of the most progressive section of Russian society in its relation to the Jewish question. Taken as a whole it was an unfriendly attitude. It reflects the utter estrange-

[1] A town in the Government of St. Petersburg.]
[2] Police inspector.]
[3] See next note.]

ment in language, in manners, and in culture between Jews and Russians at that time, an estrangement which breeds suspicion and hostility. The Russian knew no more of the life of the secluded Jewish populace than he did of the life of the Chinese. The educated Russian looked with suspicion upon the exclusiveness of patriarchal Jewish life, the unintelligible religious ceremonies which surrounded it, the rigorism of the rabbis, the ecstasy of the Tzaddiks, the strange emotionalism of the Hasidic masses. If he turned to books for an explanation of these strange phenomena, he would find it in the current pamphlet literature of Germany or Poland, with its hackneyed phrases about the fanaticism of the "chosen people," a "state in a state," etc.

The attitude of the Decembrists [1] towards the Jewish problem reflects the conventional ideas of an age of reaction. The "Russian Truth" by Pestel contains a chapter entitled "On the Tribes Populating Russia," in which the Jewish problem is described as an almost indissoluble political tangle. Pestel enumerates the peculiar Jewish characteristics which, in his opinion, render the Jews entirely unfit for membership in a social order. The Jews "foster among themselves incredibly close ties"; they have "a religion of their own, which instils into them the belief that they are predestined to conquer all nations," and "makes it impossible for them to mix with any

[1 In Russian, *Dyekabristy*, the name by which the revolutionaries of that period are generally designated. They first organized themselves into a secret league consisting of Russian army officers in the latter part of Alexander I.'s reign. Their open revolt took place in December (hence the name), 1825, immediately after the accession of Nicholas I. The league was divided into a "Northern Society," led by Nikita Muravyov, and a "Southern Society," of which Paul Pestel was the head. The latter wrote "The Russian Truth," a work in which he expounded the revolutionary program.]

other nation." The rabbis[1] wield unlimited sway over the masses; they keep the people in spiritual bondage, "forbidding the reading of all books except the Talmud" and other religious writings. The Jews "are waiting for the coming of the Messiah, who is to establish them in their kingdom," and therefore "look upon themselves as temporary residents of the land in which they live." Hence their passion for commerce and their neglect of agriculture and handicrafts. Since commerce alone is unable to provide the huge masses of Jews with a livelihood, cheating and trickery are considered permissible, to the injury of the Christians. Pestel has no eye for the heavy burden of Jewish disabilities, and even considers the Jews a privileged class of the population, since they do not furnish any recruits, have their own rabbinical tribunals, possess "the right of educating their children in whatever principles they like," and "moreover enjoy all the rights of the Christian nations" (!).

Such was the vein in which a Russian revolutionary leader wrote, not knowing, or perhaps not caring to know, of the iron vise of the Pale of Settlement, of the pitiless expulsions which were taking place just at that time, ignorant altogether of the whole mesh of legal restrictions which placed the Jews on the lowest rung of Russian rightlessness.

After presenting this picture of Jewish life, Pestel suggests to the future revolutionary Government ("The Supreme Provisional Administration") two ways of solving the Jewish problem. One consists in breaking up "the influence of the close relationship among the Jews so injurious to the Chris-

[1] Pestel evidently has in mind the Tzaddiks, whom he had occasion to observe specifically in Tulchyn, his Podolian place of residence, and more generally in the territory controlled by the "Southern Society."

tians," because it keeps them apart from the other citizens. For this purpose he advises convoking "the most learned rabbis and the most intelligent Jews"—Pestel had evidently heard of Napoleon's Synhedrion—"listening to their representations," and thereupon adopting measures for eradicating Jewish exclusiveness, for, "inasmuch as Russia does not expel the Jews, they ought to be the more careful not to adopt an unfriendly attitude towards the Christians."

The second way consists in an honorable expulsion of the Jews or, to use his words, "in assisting the Jews to form a separate commonwealth of their own in some portion of Asia Minor." To this end Pestel makes the proposal to choose a rallying-point for the Jewish people and to supply them with some troops so as to reinforce them. For, as Pestel continues,

> were all the Russian and Polish Jews to congregate in one place, they would number over two millions. Such a mass of people, being in search of a fatherland would not find it difficult to overcome all obstacles which the Turks might place in their way, and, after traversing the whole of European Turkey, might pass over into Asiatic Turkey, and, having occupied an adequate area, form a separate Jewish State.

Pestel himself felt more attracted towards the latter alternative of solving the Jewish problem,[1] but, being fully aware that "this gigantic undertaking depends on particular circumstances," he did not formulate it as "a special obligation upon the Supreme Administration."

[1] It has been conjectured that Pestel was influenced by his fellow-Decembrist Gregory Peretz, a son of the converted tax-farmer Abraham Peretz in St. Petersburg (see p. 333 and p. 388). Peretz advocated on numerous occasions the necessity of organizing a society for the purpose of liberating the scattered Jews and settling them in the Crimea or in the Orient, "in the shape of a separate nationality."

Accordingly, if Pestel's first plan had materialized, the Jews of Russia would have received from the Supreme Provisional Administration, not civil equality, but a stern *Reglement* of the Austrian or Old Prussian type, made up of a long string of "correctional measures" aiming at compulsory assimilation or Russification, at the demolition of the whole cultural autonomy of Russian Jewry, not excluding "the right of educating their children in whatever principles they like," and finally culminating in the economic "curbing of Jewry," perhaps in the spirit of that very Government against which the Decembrists were fighting.

Pestel's views on Judaism were shared by many Decembrists, but not by all. The constitution drafted by the leader of the "Northern Society," Nikita Muravyov, originally proposed to grant political rights to the Jews only within their Pale of Settlement, but in the second draft this limitation was replaced by the principle of perfect equality.

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